

A Regional Road to Revolution: Religion, Politics
and Society in South-West Scotland, 1600-50

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Abstract of Thesis

This thesis examines the political, ecclesiastical and social structures of south-west Scotland - Ayrshire, Dumfriesshire and Galloway - between 1600 and 1650, covering the latter part of the reign of James VI, the reign of Charles I and the covenanting revolution. This is the period in which the south-west was closely associated with the radical religious and political agenda, which would lead to the revolt against Charles I, a decade of war, and the development of the covenanting administration. Consequently, this study assesses the response to crown policy in the locality and the development of discontent prior to 1637, charts the south-west's involvement in the covenanting movement, maps the patterns of allegiance to the king or the Covenants and offers some thoughts on the factors which affected these allegiances.

Chapter one focuses on the geography and topography of the south-west, the local economy, settlement patterns, and the extent to which its proximity to Ulster, the north of England and Argyll had any political significance. Chapter two provides an account of the key events of the period, placing the radical south-west in the context of the wider events of the period and, in the light of this, considering what constituted radicalism in Scotland in the first half of the seventeenth century. Chapter three looks at the relationship between centre and locality and the nature and impact of the policies of James, Charles and the covenanting administration in the region. Chapter four deals with the church in the south-west: the parishes and ministers of the region; the nature of the episcopate in the south-west; the development and expression of opposition to royal policies and the importance of the networks of the religiously disaffected which developed prior to 1637 and were utilised in the organisation of the covenanting revolution.

Chapters five and six concentrate on individual allegiances. Chapter five covers the peerage and their families, a group in which the royalist peers outnumbered their covenanting colleagues, but whose activities were dominated by a number of leading covenanting nobles. Chapter six focuses on the important reservoir of non-noble covenanters - who played an increasingly important role in national politics as well as administering the locality for the covenanters - by analysing the activities of a number of groups across the locality: burgesses, parliamentary representatives, networks of lairds, the members of the shire committee of war for Kirkcudbright and the participants in the Mauchline Rising.

Chapter seven looks in more detail at the period between the surrender of the king in 1646 and the defeat of the Army of the Western Association in 1650. This is a key period for the history of the south-west, during which the region was notable for its opposition to the Engagement, provided a crucial source of support for the radical covenanting regime which seized power in 1648 and when a section of opinion in the south-west took a distinctive approach to the events which followed the execution of Charles I in the creation of the Western Association. Chapter eight, the conclusion, evaluates the different factors which had a bearing on allegiances, in particular religious beliefs, economic factors, attitudes towards monarchy and the pursuit of power and influence.

Declaration

I declare that this thesis is wholly and entirely my own work and that no part of it has been published in the form in which it is now submitted.

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Every thesis owes a great many debts of gratitude; one which has been as long in the making as this owes more than most. While it is tempting to err on the side of brevity and simply thank everyone who knows me, that would fail to do justice to all those whose friendship and generous assistance has made these years of research so enjoyable and rewarding. It goes, however, without saying that all errors, misinterpretations and omissions are entirely my own responsibility.

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and contemporary; as well as Mike Davidson; Dr John Finlay; Dr Janet Foggie; Dean Jacobs; Dr Amy Juhala and Dr Andrea Thomas.

Many have given generously of their time and advice over the years, including Dr Jane Dawson, the late Dr Walter Makey and Dr Maureen Meikle. I am also grateful to the staff of the various archives in which research has been carried out, especially the Scottish Record Office and the National Library of Scotland in Edinburgh and the Carnegie Library in Ayr. Particular mention must be made of the Dumfries Archive Centre, which is an outstanding example of a local archive. My research was initially funded by an award from the then SOED. I was enabled to continue my research due to opportunities to tutor within the University of Edinburgh and, in particular, by two years of a Faculty of Arts Postgraduate Teaching Award. My thanks must, therefore, go to the departments of the University of Edinburgh and the various course organisers who made this possible, in the Centre for Continuing Education, the Department of Scottish History and the Department of History which, by giving me the opportunity to tutor in British History, greatly broadened my historical perspective and had a direct impact on some of the concepts developed in this thesis.

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Abbreviations

AANHS	Ayrshire Archaeological and Natural History Society.
APS	<i>The Acts of the Parliaments of Scotland</i> , eds. T. Thomson & C. Innes, 12 vols. (Edinburgh, 1815-75).
Baillie, <i>Letters and Journals</i>	R. Baillie, <i>Letters and Journals</i> , 1637-62, ed. D. Laing, 3 vols. (Bannatyne Club, 1841-2).
Balfour, <i>Works</i>	<i>The Historical Works of Sir James Balfour</i> , ed. J. Haig, 4 vols. (Edinburgh, 1824-5).
CSPD	<i>Calendar of State Papers Domestic Series of the Reign of Charles I</i> , eds. J. Bruce and W.D. Hamilton, 17 vols. (London, 1858-82).
CSPS	<i>Calendar of State Papers relating to Scotland and Mary, Queen of Scots, 1547-1603</i> , ed. J. Bain <i>et al</i> , 13 vols. (1898-1969).
DGNHAS	Dumfriesshire and Galloway Natural History and Antiquarian Society.
<i>Ecclesiastical Letters</i>	<i>Original Letters Relating to the Ecclesiastical Affairs of Scotland, 1603-1625</i> , ed. D. Laing, 2 vols. (Bannatyne Club, 1851).
<i>Kirkcudbright Minute Book</i>	<i>Minute Book kept by the War Committee of the Covenanters in the Stewartry of Kirkcudbright, in the years 1640 and 1641</i> , ed. J. Nicholson (Kirkcudbright, 1855).
<i>Life of Blair</i>	<i>Autobiography and Life of Mr Robert Blair</i> , ed. T. McRie (Wodrow Society, 1848).
<i>Life of Livingstone</i>	<i>The Life of Mr John Livingstone</i> , in <i>Select Biographies</i> , ed. W. Tweedie, 2 vols. (Wodrow Society, 1845-7), i.
NAS	National Archives of Scotland.
Row, <i>History</i>	John Row, <i>History of the Kirk of Scotland from the Year 1558 to August 1637</i> , ed. D. Laing (Wodrow Society, 1842).
Rutherford, <i>Letters</i>	<i>The Letters of Samuel Rutherford</i> , ed. A. Bonar (Edinburgh, 1891).
RPC	<i>Register of the Privy Council of Scotland</i> , eds. J.H. Burton <i>et al</i> , first series (1545-1625), 14 vols., second series (1625-60), 8 vols. (Edinburgh, 1877-1908).
RSCHS	<i>Records of the Scottish Church History Society</i> .
RMS	<i>Registrum Magni Sigilli Regum Scotorum</i> , eds. J.M. Thomson <i>et al</i> , 12 vols. (Edinburgh, 1882-1912).
Scott, <i>Fasti</i>	<i>Fasti Ecclesiae Scoticanæ</i> , ed. H. Scott, 8 vols. (Edinburgh, 1915-1950).
<i>Scots Peerage</i>	<i>The Scots Peerage</i> , ed. J. Balfour Paul, 9 vols. (Edinburgh, 1904-14).
SHR	<i>Scottish Historical Review</i> .
SHS	Scottish History Society.

Conventions

All sums of money are given in £Scots unless otherwise stated. The merk was worth two-thirds of a £Scots.

Personal and place names have been standardised outside of quotations. Place names are normally standardised by the modern Ordnance Survey spelling.

Wigtown/Wigton. The burgh is spelt Wigtown, but the earldom is normally given as Wigton, so this spelling has been preferred.

Technically Kirkcudbrightshire had a steward rather than a sheriff, so the designation Stewarty of Kirkcudbright may be more precise. Both Kirkcudbrightshire and the Stewarty of Kirkcudbright were, however, used interchangeably, therefore neither has been preferred.

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INTRODUCTION

John Graham of Claverhouse, charged with the task of enforcing religious conformity on the south-west in the 1680s, was alleged to have complained that 'there were as many elephants and crocodiles in Galloway as loyal or regular persons'.¹ South-west Scotland - Ayrshire, Dumfriesshire and Galloway - has traditionally been associated with radical political and religious activity, stretching from one of Scotland's earliest heresy trials in 1494 to the protests against enclosures by the Galloway levellers in the eighteenth century.² This pattern was, however, most pronounced in the seventeenth century and had the greatest impact and political significance within the context of the opposition to Charles I which culminated in the covenanting revolution and the ensuing wars of the 1640s. Discontent at religious policy can, however, be traced to the reign of James VI in the south-west, as can many crown policies and long-term factors which might determine allegiance, raising the issue of whether the origins of the covenanting movement in south-west Scotland lie solely within the reign of Charles I or must be sought earlier.

Throughout the 1620s and 30s, individuals from the south-west were prominent among those whose activities and beliefs would lead them to put pressure upon the regime during the crisis of 1637-8. The role of what has come to be known as 'the radical south-west' in the covenanting revolution can be seen at a variety of levels, ranging from the organised, concerted production of petitions against Charles I's introduction of a liturgy to spontaneous activities such as the mobbing of unpopular ministers. In the 1640s, south-west Scotland participated in a political - even a revolutionary - movement which effected actual, if short term, change in the state. Politically, personnel from the south-west played a key role in the parliaments and committees of the covenanting regime and the area made a substantial military contribution to the covenanting armies. The south-west's unwillingness to support the Engagement on behalf of the king in 1648 was particularly striking. The army of the Whiggamore Raid which seized control of Edinburgh on behalf of the more militant covenanters had its origins in the south-west, as did many of those who sat in the radical dominated parliament of 1649. 1648 also saw a popular, armed insurrection in the south-west, the Mauchline Rising. Yet there were also significant royalist elements in the south-west, primarily within the ranks of the nobility. Why, therefore,

¹ R. Mitchison, *A History of Scotland* (London, 1970), 267.

² The radical tradition is discussed in more detail in chapter eight below.

did so many covenanters and, in particular, so many of the more radical covenanters come from the south-west?

The role of the south-west and of 'the men of the west' has received attention from a number of sources. An early twentieth-century biographer of John Maitland, 1st duke of Lauderdale, blamed the failure of the Engagement on behalf of Charles I in 1648 on its supporters failing to have 'kept their eyes on the West'. In the course of an otherwise execrable piece of analysis - relying on the 'Celtic fervour' of the ploughmen of Ayrshire and the hillmen of Galloway and the 'well-grounded differentiation' that the said Celtic fervour is 'peculiarly assertive and uncompromising' - Lauderdale's biographer did identify the significance of the south-west, albeit arriving at a wholly erroneous conclusion.³ The concept of the 'radical south-west' has since received more balanced attention, most directly by Gordon Donaldson, who argued for a 'conservative north' balanced by 'the existence of a radical south, and more particularly south-west'.⁴ Whether or not Donaldson's conservative north stands up to scrutiny remains to be seen.⁵ Historians of sixteenth- and seventeenth-century Scotland have, however, generally accepted the existence of the radical south-west and its role in the political events of the period.⁶

There have been few attempts to ascertain whether the south-west did in fact exhibit a distinctively radical pattern of political and religious life in the first half of the

³ W.C. Mackenzie, *The Life and Times of John Maitland, Duke of Lauderdale, 1616-1682* (London, 1923), 131-2. Mackenzie erroneously categorises the south-west as 'celtic' and his analysis relies upon supposed racial characteristics. His linking of the seventeenth-century south-west with the Highlands in the nineteenth century, especially in the area of religion, suggests that he had been influenced by nineteenth-century thinking on racial identity and race characteristics.

⁴ G. Donaldson, 'Scotland's Conservative North in the Sixteenth and Seventeenth Centuries', *Transactions of the Royal Historical Society*, 5th series, xvi, reprinted in his *Scottish Church History* (Edinburgh, 1985), 197.

⁵ E. Furgol, 'The Northern Highland Covenanter Clans, 1639-51', *Northern Scotland*, vii (1965), 119-129, is a reminder that regional trends do not form hard and fast rules. Ray Wells is currently working on a study of north-east Scotland which will significantly modify Donaldson's conclusions and I am grateful to him for discussions on this subject.

⁶ For examples of general usage of the concept of the radical south-west see M. Lynch, *Scotland: A New History* (London, 1991), 278; G. Donaldson, *Scotland: James V-James VII* (Edinburgh, 1965), 338; K.M. Brown, *Kingdom or Province? Scotland and the Regal Union, 1603-1715* (London, 1992), 132-3.

seventeenth century or to explain why this should have been the case. There are two notable exceptions. The most serious examination thus far of the origins of the radical south-west was made by Walter Makey, primarily in his *The Church of the Covenant*, where he identified a number of factors, either intrinsic within or unique to the south-west, which combined to create conditions conducive to civil unrest. Many of Makey's conclusions in this pioneering discussion were critically assessed in the final chapter of Allan Macinnes's 1987 thesis, which took the form of a case study of the area around Glasgow.⁷ However, neither study was primarily focused on a specific locality. Indeed, a cursory examination of any bibliography of seventeenth-century Scotland - and here the comparison with England during the revolutionary decades is instructive - reveals a relative lack of any detailed regional studies.⁸

Yet most recent studies of the early modern period have recognised that Scotland can never be seen primarily as a monolithic unitary state but should be viewed instead as a composite of various regional and local identities.⁹ This comment is particularly pertinent in the context of the mid-seventeenth century, as it has long been recognised that patterns of allegiance to the king or to the Covenants during the era of the Scottish revolution can be defined along broadly geographical lines, with support for the covenanters being concentrated in the Lowlands: in Fife, Lothian and the west and south-west of Scotland. This would also suggest that this was something more than a simple revolt against an unpopular monarch. If both the king and the covenanters received varying levels of support from different geographical areas, this

⁷ W. Makey, *The Church of the Covenant, 1637-1651: Revolution and Social Change in Scotland* (Edinburgh, 1979), 165-78. A.I. Macinnes, 'The Origin and Organisation of the Covenanting Movement during the reign of Charles I; with a particular reference to the west of Scotland' (Glasgow University PhD thesis, 2 vols., 1987).

⁸ An exception is R.A. Bensen, 'South West Fife and the Scottish Revolution: The Presbytery of Dunfermline 1633-52' (Edinburgh University MLitt thesis, 1978). Regional studies from the sixteenth century have shown how useful this approach can be, e.g., F.D. Bardgett, *Scotland Reformed: The Reformation in Angus and the Mearns* (Edinburgh, 1989) and, particularly relevant to the south-west, M.H.B. Sanderson, *Ayrshire and the Reformation: people and change, 1490-1600* (East Linton, 1997).

⁹ This approach has been taken in recent general histories such as J. Wormald, *Court, Kirk and Community. Scotland 1470-1625* (London, 1981) and M. Lynch, *Scotland: A New History* (London, 1991). Also see David Stevenson's often quoted comment that Scotland was 'virtually all country and no court', *The Scottish Revolution, 1637-44: the Triumph of the Covenanters* (Newton Abbot, 1973), 324.

would imply that, at the very least, Charles was more - or less - popular in different parts of his kingdom.

There is a further reason why regional studies of the covenanting era would be instructive. The last three decades have seen the publication of ground-breaking and perceptive accounts of the period as a whole, particularly by David Stevenson, Maurice Lee and Allan Macinnes.¹⁰ In recent years, historians such as Walter Makey and Keith Brown have suggested new and increasingly sophisticated ways of assessing the social and economic contexts of the covenanting revolt, raising issues such as noble power, the impact of absentee monarchy, patronage, taxation and debt.¹¹ Whether or not these factors actually affected patterns of allegiance and individual political or religious choices largely remains to be seen. Given that south-west Scotland has acquired this reputation as the radical heartland, its inhabitants would seem to be a suitable specimens on which to conduct this particular experiment.

The purpose of this study is threefold. Firstly, although historians of the period have generally accepted the existence of a radical south-west, the concept needs to be examined further, to ascertain to what extent it corresponds to the reality of events and in what aspects, if any, the idea of a radical south-west needs to be qualified. Secondly, in order to illustrate this, it will be necessary to map the political loyalties of the inhabitants of south-west Scotland and, thirdly, to examine the religious, political, social and economic factors which affected their allegiances. As this type of analysis of the region suggests that south-west Scotland did indeed exhibit a strong attachment to the more radical incarnation of the covenanting movement, it would seem appropriate in conclusion to address the issue of why the south-west was so

¹⁰ D. Stevenson, *The Scottish Revolution, 1637-44: the Triumph of the Covenanters* (Newton Abbot, 1973) & *Revolution and Counter-Revolution in Scotland, 1644-51* (London, 1977); M. Lee, *The Road to Revolution: Scotland Under Charles I, 1625-37* (Urbana, 1985); A.I. Macinnes, *Charles I and the Making of the Covenanting Movement, 1625-41* (Edinburgh, 1991).

¹¹ See, for example, K.M. Brown, 'Aristocratic Finances and the Origins of the Scottish Revolution', *English Historical Review*, civ (1989), 46-87; E.J. Cowan, 'The Making of the National Covenant', in J. Morrill (ed.), *The Scottish National Covenant in its British Context* (Edinburgh, 1990), 68-89 and W. Makey, 'Presbyterian and Canterbury in the Scottish Revolution', in N. Macdougall (ed.), *Church, Politics and Society: Scotland 1408-1929* (Edinburgh, 1983).

radical. Or, to perhaps phrase the question more precisely, why did so many of the radicals come from the south-west?

As is argued in chapter one, the south-west as delineated here - Ayrshire, Dumfriesshire and Galloway - does not represent a distinct political or economic unit. Indeed, there are no obvious or definitive boundaries for the radical south-west. The area chosen for study here represents a region suitable for analytical purposes and, more importantly, is one which has been selected for its diversity rather than its homogeneity. It includes a diversity of geographical areas with different political, social and religious experiences which, taken together, constitute a base from which to examine the patterns of allegiance and factors conditioning allegiance in a specific locality. It represents the prime landholding and power bases of the leading covenanting nobles in west and south-west Scotland, is made up of viable administrative units for the purpose of analysis and incorporates the main areas of covenanting activity in Ayrshire and Kirkcudbrightshire as well as areas of royalist activity such as Dumfriesshire. To focus solely on the areas included in the Western Association of 1650, for example, would be to weight the analysis too heavily in favour of the strongly covenanting areas of the south-west.¹² Renfrewshire and Lanarkshire, while worthy of study in their own right, have been excluded primarily for reasons of scale, but also because of their proximity to Glasgow and the extensive landholding and influence of the leading royalist noble in Scotland, the marquess of Hamilton, both of which exerted their own pressures on local politics.

The timescale for this study also requires some explanation: the years 1600-1650 do not simply represent a convenient half century. As is argued in chapter two below, the origins of the covenanting movement in south-west Scotland must, at least in part, be sought outwith the reign of Charles I. While some of the factors which influenced allegiances in the south-west stem from even earlier developments - the progress of the Reformation in the locality and the beginnings of important royal policies such as increasingly regular taxation and the restoration of episcopacy predate 1600 - these were thrown into sharper relief by the union of the crowns in 1603. The escalation of ecclesiastical change, increasing fiscal pressure, the inflation of the peerage, the development of new mechanisms of administration to deal with long distance government and the impact of an absentee monarch upon Scottish

¹² Ayrshire, Wigtownshire, the Stewartry of Kirkcudbright, Renfrewshire and Lanarkshire, but excluding Dumfriesshire.

political life were all crucial elements of the processes which shaped attitudes in the south-west in the first half of the seventeenth century. There is no single turning point in this process - not even 1603 - therefore the rough date of 1600, as a point predating James's departure for England, would seem to be an appropriate point at which to begin this examination of the religious, political and social history of the south-west.

The choice of a terminal date for the history of south-west Scotland in the era of the early covenanters is far more problematic. 1650 would be an unusual choice in the context of the history of the covenanting movement as a whole, located right in the midst of the Scottish attempts to secure the throne for Charles II and avoid the subjugation of Scotland by Cromwell. Events after 1650 provide, and indeed have been used below so to do, much valuable information about individual attitudes and allegiances. Issues from the Interregnum and Restoration provide insights into individual decision making: attitudes to, for example, the relaxing of political qualifications to serve in the army in 1651; the royalist rising of 1653; the Cromwellian regime; the Restoration settlement and religious dissent after 1660. In terms of the detailed analysis of the south-west, however, 1650 is an appropriate point at which to cease. 1648 saw the establishment of a political regime dominated by the most radical covenanters, a regime largely delivered and upheld by the radicals of the south-west and in the context of which they had great influence. The radicals' response to the execution of Charles I and the commencement of military action on behalf of Charles II, particularly the defeat of a godly covenanting army at Dunbar in September 1650, signalled the beginning of the dilution of the radical regime. The twelve months between Dunbar and Worcester (September 1651) with Scotland invaded and on the brink of military defeat and the Act of Classes repealed, created a very different agenda in which many of the old questions of loyalty and allegiance were superseded. In response to this changing scenario, some of the most radical covenanters, particularly in the army and the church, created the Western Association based in the west and south west. The rejection of the political ideology of the Association as expressed in the Western Remonstrance by the committee of estates and the commission of the kirk, followed by the defeat of the Army of the Western Association by English forces in December 1650, brought to end this phase of the radical covenanting response in the south-west, providing an appropriate place to cease detailed analysis of events in the region.

Chapter one looks at the extent to which the south-west could be said to exist as a coherent geographical region, the topography, patterns of settlement and land use in the south-west and places the south-west of Scotland in its wider geographical context. Chapter two examines the wider history of the period and the terminology used to describe it. Chapter three analyses the relations between the south-west and central authority, the monarchy in particular but also the covenanting administration, and examines the impact of government policy in the locality. The religious life of the south-west is dealt with in chapter four. This includes the spread of the parish ministry in the south-west, the development of religious dissent in the locality and the significance of religious networks in transmitting this dissatisfaction into political action. Chapters five and six examine the personnel of the covenanting and royalist parties in the locality, within the ranks of the peerage and at other social levels. Chapter seven looks in more detail at 1646-1650, the period of crucial importance for the history of the radical south-west. Finally, the conclusion offers some refinements to the basic concept of the radical south-west, and examines how key issues such as finance, local issues, religion, opportunities for personal advancement and the relationship with the monarch impacted upon individual and group allegiances.

South-West Scotland: Geography and Topography

A Local Community?

The area known as 'the south-west' was located in the bottom left hand corner of Scotland, behind an imaginary diagonal line stretching from the Clyde to the Solway, south of Glasgow and west of Annan. Today it is bounded to the north by the M8, the main route across central Scotland between Edinburgh and Glasgow, and to the west by the A74, heading northwards across the border with England from Carlisle.¹ Thus the south-west of the reigns of James VI and Charles I had many identities: on the one hand, Ayrshire, a region immediately adjacent to central Scotland; on the other Dumfries and Galloway, an area remote from the centres of government - Stranraer lies as far south from Edinburgh and Glasgow as does Fort William to the north.

As this makes clear, the south-west was in no sense a coherent political unit, but a broad geographical designation similar in context to 'the Highlands' or indeed to its antithesis, 'the north-east'. It would be a brave commentator who would insist on applying the same interpretations to Dumfries as to Ayr and to every community in between. Indeed, this is an essential caveat to any study of an early modern locality. There is a tension inherent in any attempt to examine local politics and society for, taken to its logical extreme, any locality can be localised to the point where it quite simply ceases to exist. Not only is the 'typical' locality non-existent, but its bounds would be near impossible to define and its demarcation could shift with even a slight change in perspective. In North Ayrshire, the burgh of Irvine, the barony of Kilwinning, the estates of the earls of Eglinton, the bailiary of Cunningham and the sheriffdom of Ayr all represent valid local units, either contiguous or concurrent, each with a different, often overlapping, constituency.

¹ This geographical definition reflects the broader concept of the south-west, incorporating the area around Glasgow and part of Lanarkshire. This study will, however, concentrate primarily on the areas located wholly within the south-west: Ayrshire (Cunningham, Kyle and Carrick); Wigtownshire; the stewartry of Kirkcudbright and Dumfriesshire (Nithsdale, Annandale and Eskdale).

Thus there were a number of jurisdictions which could be said to have shaped the local community in the south-west. In ecclesiastical terms the area comprised over 160 parishes, lying within the nine presbyteries which formed the bishopric of Galloway and the southern part of the archbishopric of Glasgow.² Civil jurisdiction was represented by the sheriffdoms of Ayr, Wigtown and Dumfries and the stewartry of Kirkcudbright; within Ayrshire by the bailiaries of Kyle, Cunningham and Carrick; and within Dumfriesshire, although less significant in the seventeenth century, by the stewartry of Annandale and the districts of Nithsdale and Eskdale. Viewed from a different angle, the boundaries of the West March stretched from just east of Wigtown to the north of Sanquhar and east of Canonbie, incorporating most of Dumfriesshire and the stewartry of Kirkcudbright.

The structure of local politics did not, however, fit neatly into administrative units which, although a useful tool for analysis, did not always coincide with the natural, more inchoate bonds which shaped local society, such as the ties of economy, jurisdiction, lordship and kinship. Michael Lynch has used the example of the sheriffdom of Ayr at the Reformation to suggest that while Ayrshire 'did have a certain political reality', 'the shape of the Scottish local community was looser and more fluid' and 'the notion of "localities" is really a contradiction in itself'.³ These conclusions remain equally valid for Ayrshire in the first half of the seventeenth century. The concept of 'centre and locality' is often expressed as the relationship between 'court and country'. In many ways the ideas conveyed by the term 'country' interpret more accurately the ideas seventeenth-century Scots held about their regional identities. In 1598 the earl of Cassillis was described as being 'not in this country [Edinburgh] but as yet still in Carrick' and, due to his recent marriage, 'clengit out of credit and estimation both here and at home with his own friends', a contemporary analysis which recognised that Cassillis operated in two distinct spheres - the court and the region in which his estates lay.⁴ The concept of nationhood has been famously defined as constituting 'an imagined political

² Many parishes in the area, especially in Dumfries and Galloway, were subject to union, readjustment and division in the course of the sixteenth and seventeenth centuries. 168 parishes can be identified as distinct and viable units in the period 1600-49, divided between the presbyteries of Ayr, Irvine, Dumfries, Penpont or Sanquhar, Lochmaben, Middlebie, Wigtown, Stranraer and Kirkcudbright.

³ M. Lynch, *Scotland: a New History* (London, 1991), 180-1.

⁴ *CSPS*, xiii, pt I, 329.

community'.⁵ This comment is equally true of localities; a locality was where people perceived that they belonged, where their roots lay, where their power lay or where there were individuals with the power to influence their lives. For the majority of seventeenth-century Scots, their locality would be determined by land, by the estates they either owned or lived on. Thus the most pertinent jurisdiction for many would have been the most local - the barony court.

Obviously, the experience of no two individuals was identical. Any attempt to form conclusions, no matter how small or seemingly coherent the area they are based upon, must at best be a broad generalisation based upon specific situations, general criteria or the available information. Carrick in the early years of the seventeenth century provided a radically different experience for the 5th earl of Cassillis, Oliver Kennedy, the earl's tenant in the barony of Straiton, or James Bonar, minister of Maybole. For others their perspective shifted according to the role they were playing. This was no less true for Cassillis than, for example, Gilbert Ross, provost of the collegiate church at Maybole, bailie of the barony of Crossraguel, substantial wadsetter to the earl, and local henchman in the Kennedy backyard, as well as being a substantial and respected local figure in his own right.⁶ Yet, at the other end of the spectrum, it is possible to draw broad comparisons across the area, as has been done in recent work on architecture which has identified a distinctive western school of architecture, evidenced in buildings ranging from Kirkcudbright in the south, northwards to Irvine and Lanarkshire and into Argyll.⁷

Another area in which the south-west can be seen to have operated as a region lies in the network of marriage alliances within the greater and lesser nobility, many of which were contracted within the south-west. For nobles and their heirs a first marriage was normally contracted at a national level. When, however, it came to the marriages of younger children and, in particular, re-marriages, alliances within the

⁵ B. Anderson, *Imagined Communities: reflections on the origins and spread of nationalism* (London, 1983), 6.

⁶ Oliver Kennedy entered into lands in the barony of Straiton as heir to his brother in 1605, NAS, Ailsa Muniments, GD25/8/1, no. 27. The extent of Ross's influence in the locality can be traced in a wide variety of roles, e.g., GD25/3/14, no.1; GD25/8/1, no. 4a; GD25/3/14, no.14a.

⁷ A. MacKechnie, *In-House* (Historic Scotland Research Paper no. 1, July 1992), 6. I am grateful to Dr MacKechnie for drawing this to my attention and for his advice on the subject.

south-west constituted the overwhelming majority.⁸ Interestingly these were contracted not only within the immediate locality, but often across the south-west as a whole, e.g., between Dumfriesshire and Ayrshire. This is illustrated in the marital history of John, 8th Lord Maxwell and his wife, Elizabeth Douglas. The 8th Lord Maxwell married a daughter of the 7th earl of Angus, who survived him to marry into two south-west families, marrying firstly Alexander Stewart of Garlies and, after his death, John Wallace of Craigie, before her own death in 1637.⁹ Two generations of the Gordons of Lochinvar provide a fairly typical picture of marriage patterns in the south-west. Sir Robert Gordon of Lochinvar married the daughter of the 1st earl of Gowrie, who survived him to marry, as his second wife, Hugh, Lord Loudoun. Their eldest son, Sir John Gordon of Lochinvar, 1st Viscount Kenmure married the sister of the marquess of Argyll, who survived him to marry Henry Montgomery of Giffen, one of the sons of the 6th earl of Eglinton.¹⁰ These were substantial local lords, marrying into prestigious noble families, whose widows remarried within the south-west, to younger sons or widowers.

A similar pattern is discernible among the greater lairds, although more of them would contract marriages within their immediate community. The extent to which social standing and wealth impacted on the geographical pattern of marriages in lairdly families is indicated by the marriage networks of a group of politically interconnected lairds in north Ayrshire. The Hunters of Hunterston and Cunninghams of Waterston were neighbours in the parish of West Kilbride. Robert Hunter of Hunterston, who died in 1618, married the daughter of a burgess and provost of Irvine. He was succeeded by his niece's husband, Patrick Hunter, himself from an Ayrshire family, and one of their daughters married the eldest son of Alexander Cunningham of Waterston. The wealthier and higher status Sir William Cunningham of Cunninghamhead married firstly into a north-east family and secondly Margaret Campbell, daughter of Hugh Campbell of Loudoun. Three generations of the Montgomeries of Skelmorlie, a substantial lairdly family, whose estates were in the very north of Ayrshire, primarily in the parish of Largs, were alive in the 1630s and 40s. Sir Robert Montgomery the elder married into the family of Douglas of

⁸ These conclusions are impressionistic, but the examples provided give a fair picture of the trends across the south-west, particularly of marriage patterns within the peerage. A comprehensive analysis would be time consuming and would leave gaps and uncertainties because of source limitations.

⁹ *Scots Peerage*, vi, 483.

¹⁰ *Scots Peerage*, v, 116-7, 120.

Drumlanrig, his son married Mary Campbell, the sister of the marquess of Argyll, his grandson the daughter of a Fife laird.¹¹

While aspects of the south-west undoubtedly evidence a strong sense of localism or local identity, it in no way approximates to the type of 'county community' which has been the basis for so many analyses of allegiance during the English Civil War.¹² While the cohesion and self-sufficiency of English county communities should not be overstated, they differed from Scottish localities in one key respect: early-modern Scotland had no mechanisms of local government comparable to the institutions of the county in seventeenth-century England. Morrill, for example, suggests that 'The social and political institutions of the county were arenas within which rivalries were worked out, disputes arbitrated, prestige and honour won and lost'.¹³ Thus 'the link

¹¹ J. Paterson, *A History of the County of Ayr: with a genealogical account of the families of Ayrshire*, 2 vols. (Ayr, 1847-52), ii, 133-4, 143, 310-11.

¹² Numerous English local studies were published from the 1960s onwards, including A.M. Everitt, *The Community of Kent and the Great Rebellion, 1640-1660* (Leicester, 1966); J. Morrill, *Cheshire, 1630-1660: County Government and society During the 'English Revolution'* (Oxford, 1974) and A. Fletcher, *A County Community at Peace and War: Sussex 1600-1660* (London, 1975). For a general review of the value of local studies and caveats to them see J. Morrill, 'County communities and the problem of allegiance in the English civil war', in his *The Nature of the English Revolution* (London, 1993). Two English local studies are particularly relevant to the experience of south-west Scotland, namely D. Underdown, *Revel, Riot and Rebellion, Popular Politics and Culture in England 1603-1660* (Oxford, 1985) and C. Holmes, *The Eastern Association in the English Civil War* (Cambridge, 1974). The Western Association of the radical covenanters of the south-west consciously drew on the example of the Eastern Association, the most successful of all of the military associations in England, which formed the core of Cromwell's New Model Army, D. Stevenson, 'Cromwell, Scotland and Ireland', in J. Morrill (ed.), *Oliver Cromwell and the English Revolution* (London, 1990), 160.

¹³ J. Morrill, 'The Religious Context of the English Civil War', reprinted in *The Nature of the English Revolution*, 48. This is also true of Scottish localities, but at a much more informal level. Although, as Ann Hughes has pointed out, English county communities were neither identical or homogeneous [A. Hughes, 'Local History and the Origins of the Civil War', in R. Cust and A. Hughes (eds.), *Conflict in Early Stuart England* (1989)], the political and social differences between English and Scottish localities make it difficult to enter into a direct dialogue, i.e. it is not helpful to see to what extent the covenanting movement in south-west Scotland resembles Kent, Cheshire or Sussex during the English Civil War. This said, the wealth of English local studies suggest many fruitful models and areas for examination, for example, the extent to which royalists were able to manoeuvre in an area controlled by parliament which parallels the situation royalists found themselves in south-west

between centre and locality was much more tenuous than in England'.¹⁴ While both James and Charles sought to put in place local institutions and thereby increase their control over the localities, these remained sporadic and undeveloped, at least until the country mobilised for war in the 1640s. Many of the primary symbols of royal authority in the locality, the sheriffs and bailies, still held office heritably and the justices of the peace operated very much on an *ad hoc* basis.¹⁵ It has been argued that the reformed church and its courts provided an alternative conduit between centre and locality.¹⁶ This is certainly true, but the link would prove most effective in dealing with issues such as the prosecution of recusancy, in which its dealings were often hampered rather than encouraged by the crown. Charles I required that no action be taken with regard to the Catholic earl of Nithsdale without prior reference to the king. Not only was Nithsdale a royal favourite, but Charles's policy towards his Catholic subjects was 'rather to save their soules than ruine their estates'.¹⁷ Thus, even within the context of Jacobean and Caroline administration, the ties of lordship, kinship and affinity were still dominant.

South-west Scotland in the seventeenth century was not a coherent political unit but a complex conjunction of differing, often overlapping, jurisdictions and communities. The major factor which defined the south-west as a distinct region was topography. The south-west did have a distinct geographical identity, as an area of southern Scotland looking west across the Irish sea, south across the border to England and delineated to the east by the hills of the Southern Uplands and the hills and moors

Scotland, the importance of localism/neutralism which may explain why Wigtownshire played such a minimal role in the covenanting movement and the issues raised in studies such as David Underdown's *Revel, Riot and Rebellion*, which explore the different customs and social structures of arable and pastoral regions that Makey suggested may also be distinctive to south-west Scotland. The recent publication of studies of the Irish rebellion and the development of the Irish Confederacy suggest, however, that while events in England seem to provide a closer parallel in terms of religious and political convergence, the Irish experience may provide a more useful point of comparison. See M. O Siochru, *Confederate Ireland, 1642-49* (Dublin, 1999) and P. Lenihan, *Confederate Catholics at War, 1641-49* (Cork, 2001).

¹⁴ J. Wormald, 'James VI and I: Two Kings or One?', *History*, lxxviii (1983), 193.

¹⁵ For a fuller discussion of the political community in the south-west and of the impact of royal policy within the locality, see chapter three.

¹⁶ J. Wormald, *Court, Kirk and Community: Scotland, 1470-1625* (London, 1981), 40; Wormald, 'Two Kings or One?', 100.

¹⁷ J. Balfour, *Works*, ii, 155; Row, *History*, 348.

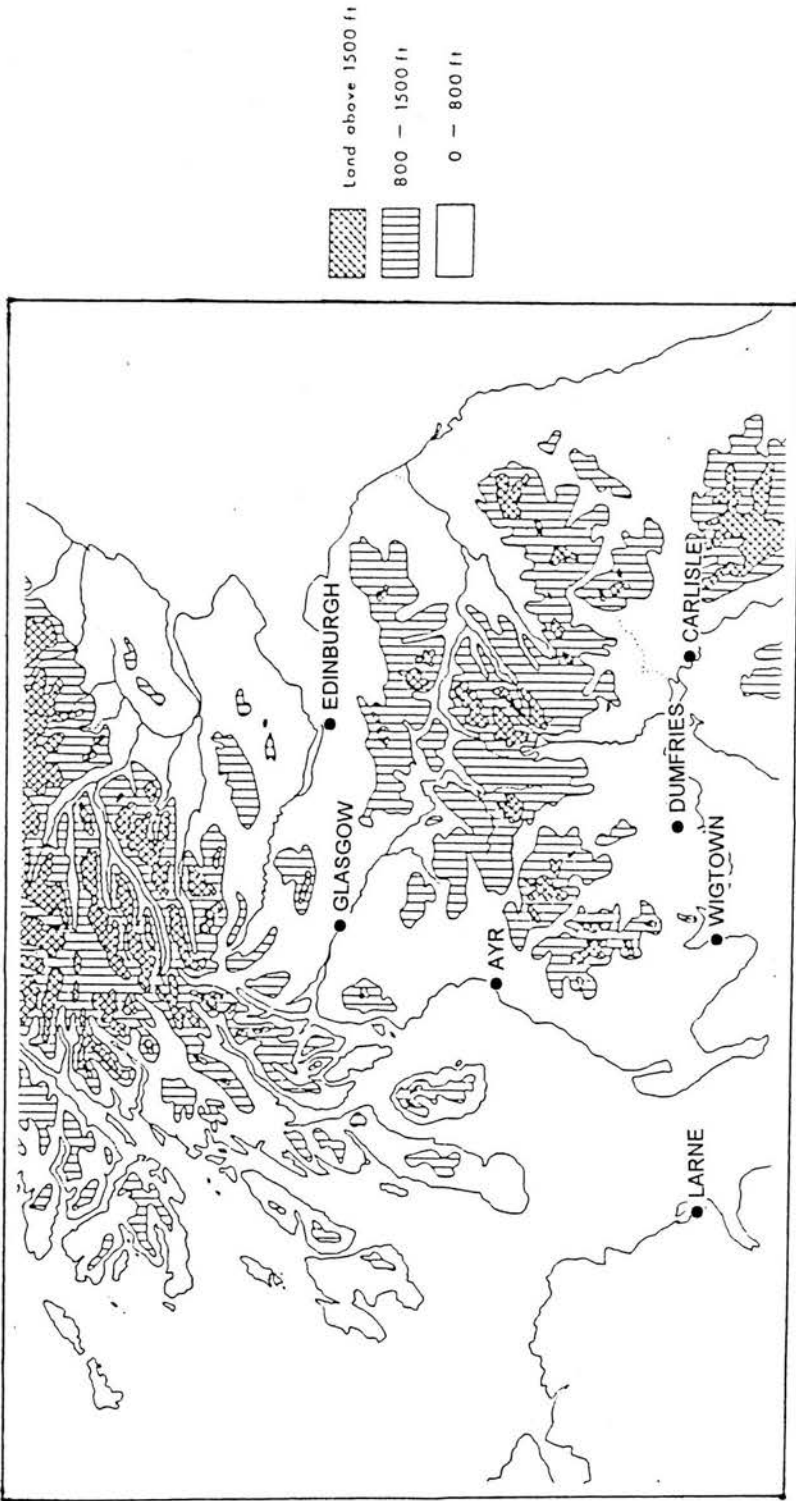
bounding Ayrshire. These topographical features divided the south-west from the rest of lowland Scotland and had major implications for agriculture, the local economy, settlement patterns and internal communications within the region.

Land Use

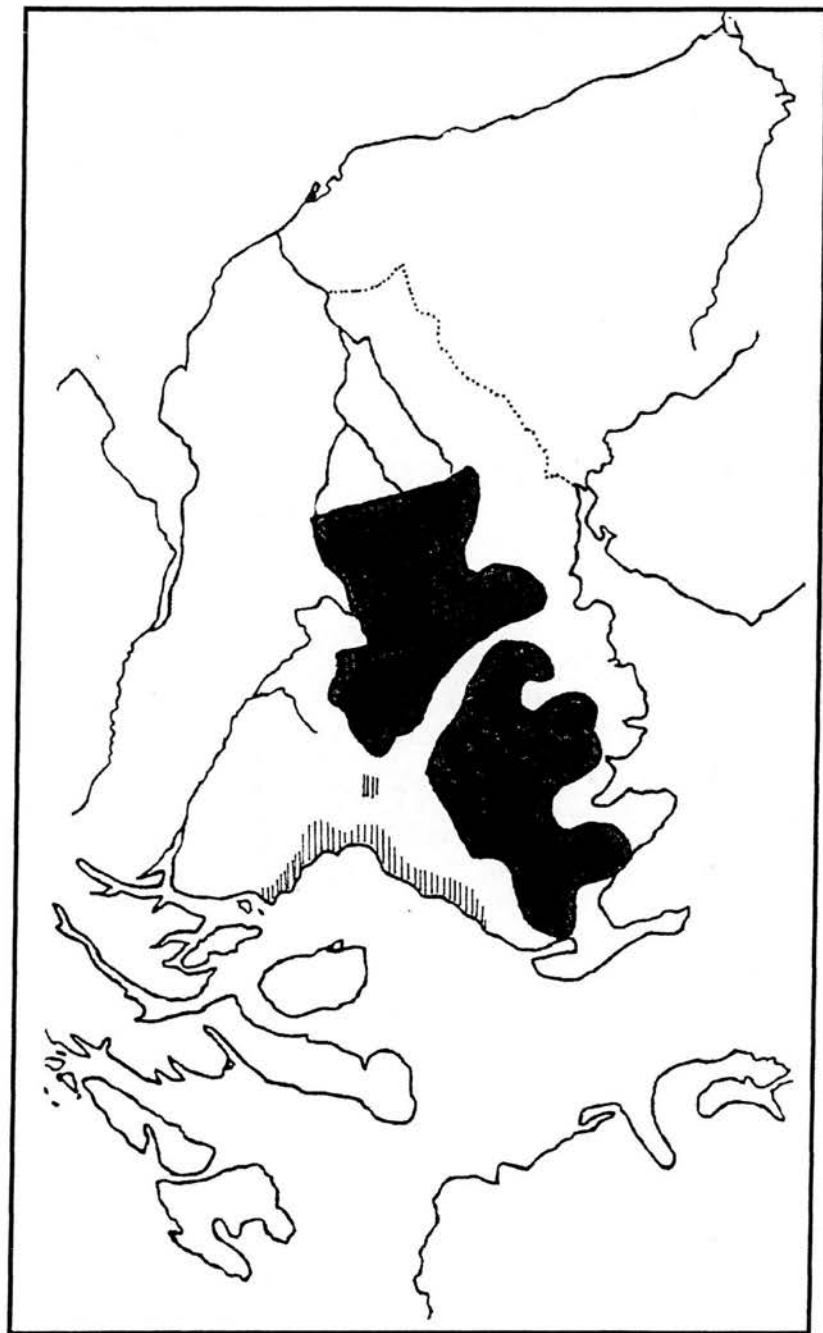
The south-west constituted around 12% of Scotland's landmass and supported a similar proportion of the seventeenth-century Scottish population.¹⁸ Ayrshire was the largest region of the south-west, at around 720,000 acres, marginally bigger than Dumfriesshire at around 690,000 acres and Kirkcudbrightshire at around 570,000 acres. Ayrshire was also comparatively the most populous area of the locality, in contrast to Wigtownshire which at just over 300,000 acres was both the smallest and the least populous. There were many local variations within this pattern, settlement density being largely governed by land use and land quality. The extensive upland areas of the region were sparsely populated, the coastal regions more populous due to the availability of lower lying and better quality land. There were wide differences within the local community, for example, the contrast between the relatively urbanised and more populous parts of Ayrshire and Dumfriesshire and the overwhelmingly rural Carrick, Wigtownshire and upland areas of Dumfriesshire. An early seventeenth century observer described the north of Ayrshire as being 'marvelously weill beautified with goodly buildings and edifices of Noble and gentlemen and the duellings of the yeomanrie verry thick poudred over the face of this countrey ... So that one may much vounder how so small a bounds cane containe so weill so maney people having no trade to live by bot ther husbandry and the rent arraysing from the ground except a few liuing on the Sea coaste by fisching'.¹⁹ This relationship between population and landscape is clearly visible from a comparison

¹⁸ The south-west as delineated by the nineteenth century county boundaries, which were almost identical with the seventeenth century extent, constitutes 12% of the total national acreage. Population figures for Scotland as a whole and for specific localities are impossible to estimate with any degree of accuracy for this period. Given the economic development and demographics of the area it is, however, unlikely that the proportion of the population relative to the population of Scotland overall shifted dramatically in the century after 1650. The figures given in Webster's 1755 census and calculable from the 1691 hearth tax would suggest that around 12% of the Scottish population would be a reasonable working hypothesis, M. Flinn (ed.), *Scottish Population History* (Cambridge, 1977), 199.

¹⁹ *Cuninghame Topographised by Timothy Pont, with continuations and illustrative notices*, ed. J. Dobie (Glasgow, 1876), 6.



South-West Scotland: Relief

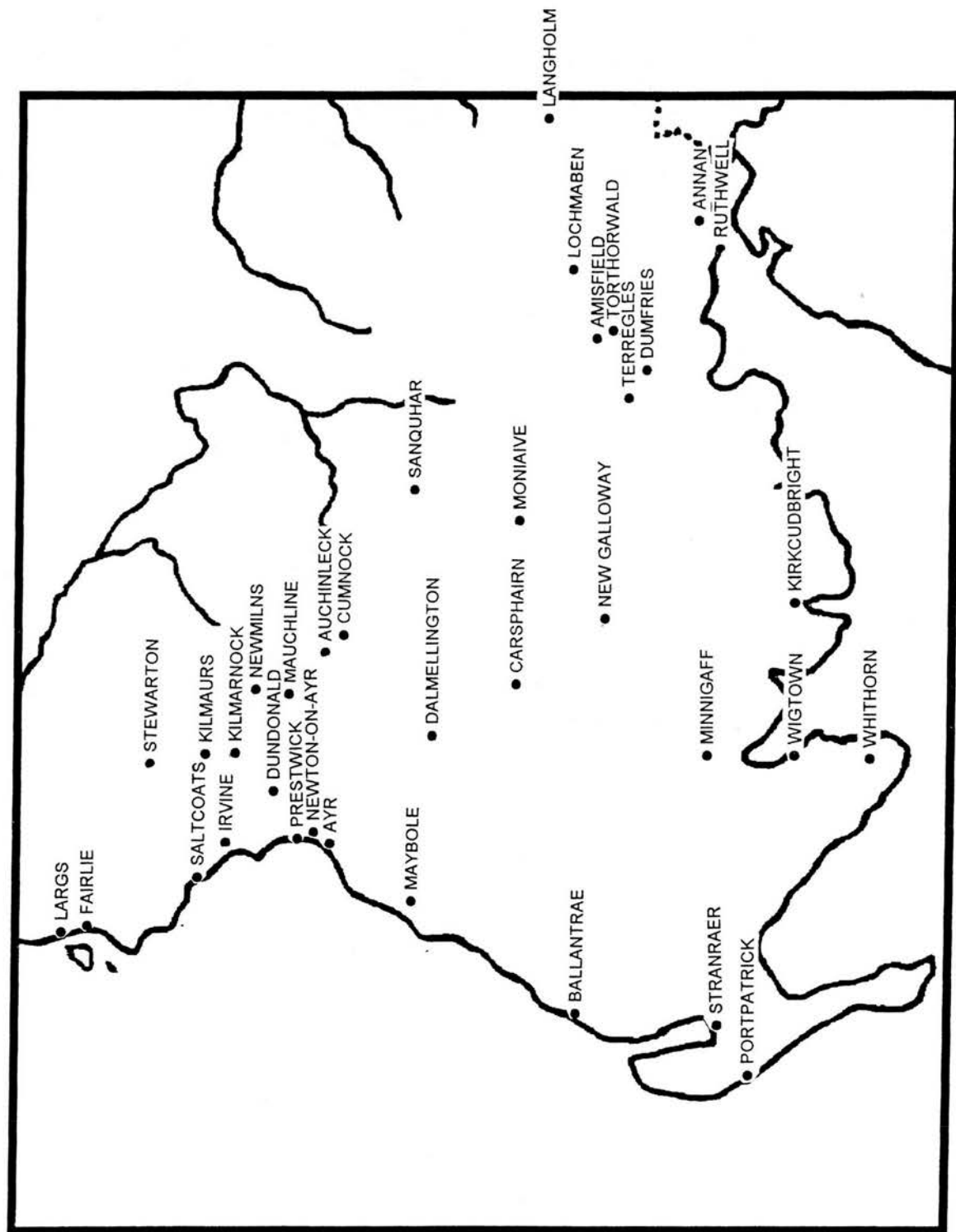


South-West Scotland: Land Quality

APPROXIMATE EXTENT OF

GOOD QUALITY ARABLE LAND

POOR QUALITY MARGINAL GRAZING LAND



Burghs in south-west Scotland founded before 1638

between the relatively small parishes of Cunningham, the east of Kyle and the southern parts of the Kirkcudbrightshire and Dumfriesshire, and the much greater size of the upland parishes such as Minnigaff, Sanquhar or Kirkconnel.

The south-west contained few areas of high quality agricultural land. In general the south-west was a pastoral region, raising mainly sheep and some cattle, although staple crops - primarily bere, oats and, to a limited extent, wheat - were cultivated in Ayrshire, in the Rhinns of Galloway and the lower lying areas of Kirkcudbrightshire and Dumfriesshire. Wheat cultivation was possible on the better agricultural land, mainly in Ayrshire, but formed a small proportion of the total crops grown throughout the region.²⁰ While sheep, cattle and dairy products were abundant in the south-west, there were localised areas of land suitable for cultivation and a wide diversity of land use and land quality, as was recognised in a seventeenth-century description of Galloway.²¹

The north parts through the whole stewartrie, are hilly and mountaneous. The whole parish of Monnygaffe consists for the most part, of hills, mountains, wild forests and moors. The southern part of the Stewartrie is more level and arable. As for the shire of Wigton, the heads or northern parts of the parishes of Penygham, Kirkcowand, Glenluce, etc are moors and bogs. The southern part of the Presbytery of Wigton ... contains much arable land, especially in the Machars. . The southern part of the Rhins ... is also arable and level.

The mid-sixteenth century description of Carrick as a 'barrant cuntree but for bestiall' is often cited as evidence of the pastoral nature of the area.²² William Abercrommie's description a century later gave a slightly different slant.²³

²⁰ Agricultural improvement, especially drainage, in the eighteenth and nineteenth century significantly improved the quality of agricultural land, most markedly in Ayrshire. Drainage, reclamation of water-logged land and the diversion of water courses has had a significant impact on the landscape throughout the region. Before the Fleet Estuary was canalised for agricultural improvement in 1824, Cardoness Castle, for example, was accessible by boat.

²¹ Andrew Symson, *Description of Galloway*, in W. MacKenzie, *History of Galloway*, 2 vols. (Kirkcudbright, 1841), ii, 92-3.

²² *Archaeological and Historical Collections Relating to the Counties of Ayr and Wigton*, 15 vols. (Ayrshire and Wigtonshire Archaeological Association, Edinburgh, 1878-1891), iv, 18.

²³ William Abercrommie, *A Description of Carrick*, in MacFarlane's *Geographical Collections*, ed. A. Mitchell, vol. ii (SHS, 1907), 2.

It is better fitted for pasturage than corne, yet it produces such plenty all sorts of graine ... It affords also store of Cattle ... It is very well balanced with moore and sale for on the one part that abounds with corne supplies the other place which is for pasturage with bread, as they furnish them again with beefe, mutton, wool, butter, cheese ...

Pont's description of Cunningham detailed the different agricultural potentials of the district, beginning in the north with a 'hillish tracte' which developed into 'a grate deall more low flatt and plaine soyle', the middle parishes which were more low lying and 'much more fertile in cornes and store' as well as producing quantities of dairy produce, especially butter, and a third area of 'Sandey Soyle yet indifferent fertile'.²⁴

It should not be assumed that agricultural life remained static in the south west during the seventeenth century as there is significant evidence of innovation and investment in the rural community. Pont described part of Cunningham as being 'much enriched by the Industrious inhabitants lymeing of ther grounds'.²⁵ Both the 5th and 6th earls of Cassillis undertook agricultural improvement, a 'modernising policy of commercial estate management', involving the re-orientation of estates on commercial lines, evictions and buying out of kindly tenancies, complemented by an extensive programme of building work.²⁶ In common with many other landowners in the south-west, the earls of Cassillis were expending significant sums on impressive show-piece dwellings. Building work on Maybole Castle began in the 1620s and work at Castle Kennedy in Wigtownshire commenced in 1607. The earl of Nithsdale undertook extensive remodelling at Caerlaverock in the 1630s and the inventory of the castle's contents taken after it fell to the covenanters reveals that its internal

²⁴ Pont, *Cuninghame Topographised*, 5.

²⁵ The testament of William Mure of Rowallan in 1616 required that 'William Mure my servand be relivit at the hands of Robert Dunlope of the haille lyme bocht this instant yier laid upon the landis of Balgray because the said William is only condition maker for me and the said lyme cam to my owin use', Pont, *Cuninghame Topographised*, 5, 32.

²⁶ K.M. Brown, 'A House Divided: family and feud in Carrick under John Kennedy, fifth earl of Cassillis', *SHR*, lxxv (1996), 178, 193; NAS, Ailsa Muniments, GD25/8/1 no. 42, 16 May 1609, the renunciation in 1599 by Corrie of Kelwood of a small kindly tenancy, established for his father's lifetime, and of a nineteen year lease for himself.

furnishings were just as costly. Other superiors were pursuing similar policies.²⁷ While some tenants were undoubtedly affected by the more commercial attitude to estate management, there is no evidence of widespread dispossession or dislocation in the south-west in this period. Overall there was considerable security amongst the tenantry, with a trend towards the issuing of nineteen year leases. Many of the kindly tenancies that were being abolished were extremely small and some pertained to people of influence in the locality who were not actually disadvantaged by the proceedings.

The economic experiences of one family and the types of changes which were taking place in the rural community can be traced in the barony of Morton. Archibald Douglas in Carrounhill, in the parish of Morton, died in 1604, leaving farm stock and goods worth £432, of which the majority of the livestock were sheep. At his death he owed £48, calculated as the value of eight bolls of bere, as rent to Douglas of Drumlanrig and £26 for one year's rent to the earl of Morton. He bequeathed his nineteen year lease to his eldest son, Archibald. In 1608 William Douglas of Cashoghill was infeft in the lands of the barony of Morton, having paid the earl of Morton 16,000 merks, to be held in feu-ferme for £100 Scots annually and for three suits at the head court at Dalkeith. Douglas of Cashoghill was required to recognise all infeftments on payment of feu duty and a grassum, which for Archibald Douglas amounted to 2,000 merks. A decade later the barony was sold to Douglas of Drumlanrig, in whose hands it remained, to be held blench ferme and exempted from attendance at head courts and who was empowered to hold his own courts. The barony was thus effectively alienated from the earl of Morton. Drumlanrig was required to recognise the infeftment by William Douglas of Cashoghill of 'Archibald Douglas in Carranhill and his heirs and assignees heritably and irredeemably of the eight merk land of the lands of Carranhill and Dobtoun and three merk land of Brumerig'.²⁸ Douglas of Cashoghill sold the feu to Drumlanrig - who held the barony on a long lease - after he got into financial difficulty and Drumlanrig thereby acquired actual possession of the lands. The fate of Archibald Douglas and the barony of Morton illustrates the extent to which land was being transferred from one

²⁷ NAS, Glencairn Muniments, summons of removing against tenants, 1642, GD39/1/275-6.

²⁸ P.W.L. Adams, *History of the Douglas Family of Morton* (Bedford, 1921), 81-2, 697, 700.

superior to another and the large grassums which tenants were required to pay, which was in return for long leases and considerable security of tenure.

Urban Settlement

There were four major burghs in the south-west, all royal burghs, of which Dumfries and Ayr were the largest, followed by Irvine and Kirkcudbright.²⁹ The other royal burghs in the area were significantly smaller, such as Wigtown and Stranraer whose populations did not exceed 500. It has been said of seventeenth-century Stranraer that 'the overall impression ... is of a small market town servicing its agricultural hinterland', a conclusion which is equally apposite to the other small but thriving burghs in the locality.³⁰ The remaining royal burghs - Whithorn, Annan, Lochmaben, Sanquhar and, in particular, New Galloway - were smaller still. While the south-west is often viewed as being overwhelmingly rural, the area exhibited sustained urban settlement with the foundation of eleven royal burghs and over twenty-five burghs of barony prior to 1638.³¹ The south-west was, therefore, no more rural than any other

²⁹ Estimates of urban populations in the sixteenth and seventeenth centuries differ greatly and would, of course, have varied according to local circumstances and been affected by war, plague and dearth. Pryde suggested a population for Ayr of not much more than 2,000 in his chapter in A.I. Dunlop (ed.), *The Royal Burgh of Ayr* (Edinburgh, 1953), 44. Strawhorn estimated the sixteenth-century population of Ayr at 1,500 to 2,000, J. Strawhorn, *The History of Ayr* (Edinburgh, 1985), 38. Michael Lynch's analysis of valued rents suggested a significantly larger population for Ayr in the mid seventeenth-century. What is, however, clear from both tax assessments and valued rents and from the later hearth tax is that Ayr and Dumfries were the largest burghs in the south-west, Irvine and Kirkcudbright were smaller and that all four were much larger than any other urban settlement in the locality. The four main burghs also compared favourably in size and wealth with other Scottish burghs, both Dumfries and Ayr would have been in or around the ten most populous burghs: in 1639 Dumfries had a valued rent just smaller than that of St Andrews and Ayr a valued rent slightly larger than Stirling. For comparative figures based on tax assessments, the 1639 valued rents and the hearth tax see *An Atlas of Scottish History to 1707*, eds. P.G.B. McNeill & H.L. MacQueen (Edinburgh, 1996), 310-22.

³⁰ E.P. Dennison Torrie & R. Coleman, *Historic Stranraer: the archaeological implications of development* (Scottish Burgh Survey, Aberdeen, 1995), 18.

³¹ The burghs of barony in Cunningham and Kyle (in approximate order of foundation, although several had existed as communities before their formal erection) were: Prestwick, Newmilns, Auchinleck, Cumnock, Mauchline, Kilmaurs, Saltcoats, Kilmarnock, Newton-on-Ayr, Fairlie, Dalmellington, Largs and Dundonald. In Kirkcudbrightshire and Dumfriesshire: Torthorwald, Ruthwell, Terregles, Minnigaff, Amisfield, Langholm, Carsphairn and Moniaive. Portpatrick was the only burgh of

region of early-modern Scotland and the overwhelming majority of the population would have been within easy reach of a burgh or market centre. Timothy Pont's survey of Cunningham identified the existence of a number of local markets, at Kilmarnock, for example, which had 'euery Setterday a grate market'.³²

The pattern of urban development also exhibited localised differences. Eleven burghs of barony were within the immediate vicinity of Ayr and Irvine, while Carrick had no royal burghs and only three burghs of barony, the most significant of which was Maybole; the other two, Dalmellington and Ballantrae, were of marginal importance. Thomas Tucker described Ballantrae as 'a mercat town, as poore as little'.³³ This was also the extent of many of the smaller foundations, particularly the more upland settlements such as Carsphairn or Moniaive. It has been suggested that Auchinleck, for example, may never have adopted any aspect of its burghal charter.³⁴ One of the first priorities for the tutors of the young Viscount Kenmure was the development of the recently founded family burgh of New Galloway 'becaus as yet there has been nae burgesses lawfullie creat'.³⁵ Ayr and Dumfries excepted, the primary function of urban settlements in the south-west was to operate as local market centres. Industrial development, where it existed, was largely for local consumption and organised at a craft level. Thus, while Irvine's overseas trade suffered as a result of its harbour silting up, it retained its importance as a regional centre and a focus for local trade.³⁶

The pattern of urban settlement in the south-west underlines the importance of topography to the history of the locality. The south-west has been defined as a region

barony in Wigtownshire, apart from the burgh associated with the Glenluce Abbey, before the erection of Newburgh for the earl of Galloway in 1638.

³² Pont, *Cuninghame Topographised*, 7.

³³ Thomas Tucker, *Report upon the settlement of revenues of excise and customs in Scotland* (Bannatyne Club, 1824), 41. Tucker's comments on the south-west were not particularly favourable and he concluded that large sections of the locality were not worth taking trouble over and that the income generated from the whole would not do more than repay the required expenditure.

³⁴ E.P. Dennison Torrie & R. Coleman, *Historic Cumnock: the archaeological implications of development* (Scottish Burgh Survey, Aberdeen, 1995), 13.

³⁵ *Scots Peerage*, v, 118, 120.

³⁶ Pont described Irvine's 'porte and harbry being now much decayed from quhat it wes anciently being stopt vith shelwes of sand wich hinders the neir approach of shipping', *Cuninghame Topographised*, 17. The harbour at Ayr was also affected by drifting sand and the build up of silt.

lying to the west of a natural physical boundary - the hills of the Southern Uplands - beyond which 'movement in all directions was impeded', with the result that, even until well into the nineteenth century, the hills which bordered Galloway seriously hindered contact with the central belt. Yet the same physiological features which defined the region served to divide it: such contacts as the southern parishes had with the central belt were more often based on the need to maintain administrative links with Edinburgh than links with Glasgow and the economy of the west.³⁷ The geopolitics of the south-west were further governed by its proximity to the north of England, to Argyll and to Ulster.

South-West Scotland in its Geo-Political Context

Communication by sea was, therefore, of major significance to the south-west. As well as the harbours at Ayr, Irvine, Dumfries, Wigtown, Kirkcudbright and Stranraer, small anchorages were in use along the coast: at Ballantrae and Dunure, for example. The commission which met in 1624 to combat irregular traffic between the south-west and Ireland identified over twenty ports, harbours and creeks which required oversight, although many were small and offered less than ideal conditions.³⁸ Prior to the development of Stranraer, the main route to Ireland was from Portpatrick to Donaghadee. Sir William Brereton described his journey from Stranraer to Portpatrick, where he took ship for Ireland, as a 'foul winter way over the mossy moors', and Portpatrick itself as 'a most craggy filthy passage, and very dangerous for the horses to go in and out; a horse may easily be lamed, spoiled and thrust in the sea'.³⁹ In 1638, John Livingstone transported his family and household goods from Irvine to his new parish of Stranraer by boat as he 'had some household furniture to carry and the way was far'. Ease of sea-borne communication had also influenced his choice of destination. Livingstone had previously been minister of Killinshie in Ireland and, although he had initially been inclined to go to the rural parish of Straiton in Ayrshire offered to him by the earl of Cassillis, he was counselled to go to Stranraer as it was 'nearer for the advantage of our people in Ireland'. Continued contact did prove possible as Livingstone's former parishioners used to come to his

³⁷ R.H. Campbell, *Owners and Occupiers: Changes in Rural Society in South-West Scotland Before 1914* (Aberdeen, 1991), 3-5.

³⁸ *RPC*, 1st series, xiii, 553; see also Tucker, *Report*, 41.

³⁹ On arrival at Portpatrick he found only one boat, although the day before there had been fifteen, indicating the amount of traffic which passed through Portpatrick. Quoted in H. Maxwell, *History of Dumfries and Galloway* (Edinburgh, 1896), 314.

twice-yearly communions at Stranraer and brought their children over to be baptised by him. Livingstone found his next move, from Stranraer to the rural parish of Ancrum, much more arduous 'being above one hundred myles and bad way'⁴⁰

While the relative ease of sea-borne communications with Ireland could prove an attractive alternative to the more difficult inland routes, the extent to which proximity to Ireland was an ideological stimulus is less clear. It has been suggested that events in Ulster and Scotland enjoyed a 'symbiotic relationship' in the early seventeenth century, brought about not just by geographical proximity and the process of plantation, but by the correlation of political events. The ease of communication by sea compared with arduous land routes was equally true within Ireland for 'in many ways the Antrim coast was closer to the Scottish mainland than to its own hinterland'.⁴¹ It is likely that the arrival in the south-west of Protestants escaping from Ireland in the wake of the Irish rebellion of 1641 would have helped to fuel anti-Catholic sentiments, consolidate support for the continuance of the war and facilitate the levying of troops to fight in the Ulster Army. Of far greater importance was the extent to which Ulster acted as a 'safety valve' for many Scots. Relative proximity and ease of settlement made the plantation of Ulster an attractive option which, unlike colonising the New World, offered continued regular contact with Scotland and the possibility of frequent visits to the settlers' country of origin. In 1648, for example, Ulster offered a convenient haven for those seeking to avoid the levies for the Army of the Engagement and, when the magistrates of Stranraer refused to take the oath of allegiance to Charles II in 1661, it was found that the provost had already fled to Ireland.⁴²

Settlement in Ireland was not always for the purest of motives. The Scottish ministers who settled in Ireland were aware that their congregations contained those who had left 'for debt and want, and worse reasons'.⁴³ Fleeing to Ireland was an especially attractive option from the south-west. Letters of arrestment were issued against Walter Newell of New Abbey in 1641, in respect of the sum of 600 merks owed by him to a Dumfries merchant, because it was feared that he intended 'to transport

⁴⁰ *Life of Livingstone*, 161, 169.

⁴¹ R.F. Foster, *Modern Ireland, 1600-1972* (London, 1988), 59-60.

⁴² D. Stevenson, *Revolution and Counter Revolution in Scotland, 1644-51* (London, 1977), 108; Torrie and Coleman, *Stranraer*, 18.

⁴³ *Life of Livingstone*, 143.

himself furth of the realme to the kingdome of Ireland and swa thereby mak himself altogidder unresponsable'.⁴⁴ Not all debts went unpaid, however, and there was continued commerce between the settlers in Ireland and their former business associates: in 1642, Robert Greir, merchant in Newton in County Down, discharged a burgess of Dumfries for money owed to him.⁴⁵ Many settlers retained contact with the locality in which they had originated. In 1639 John Grierson, sometime of Nether Keir who had moved to County Monaghan, contracted an agreement with the consent of his immediate superior, Grierson of Lag.⁴⁶ The commercial relationship between Ulster and the south-west continued throughout the 1640s. A Dumfries merchant was among the prisoners captured when a ship returning to Scotland from Ulster was seized by Alasdair MacColla's expeditionary force in 1644, as were two ministers from the south-west who had been in Ulster pressing for subscription of the Solemn League and Covenant.⁴⁷ While a minority of the Commissioners for the Plantation originated from the south-west, many of the actual colonists came from there and a proportionate redistribution was made in favour of west-coast Planters, 'presumably because it was realised that planters from this part of the country would have less difficulty in transporting tenants and provisions to Ireland'.⁴⁸ Indeed, parts of Antrim and Down had an extensive Scottish population pre-dating the formal process of plantation. It has been estimated that around 20-30,000 Scots may have settled in Ulster by 1647, the majority of whom were small tenants from west and south-west Scotland.⁴⁹

Moving to Ireland could offer considerable advantages for ambitious men from humble backgrounds or those financially embarrassed at home. Andrew Stewart, 3rd Lord Ochiltree, an Undertaker for the Plantation in Ulster, was granted lands in Tyrone and created Lord Castlestewart in 1610. Increasingly impoverished and unable to pay his debts, he sold the barony of Ochiltree in Ayrshire to his cousin in

⁴⁴ Dumfries Archive Centre, Stewart of Shambellie Muniments, GGD37/1/6/7.

⁴⁵ Dumfries Archive Centre, Stewart of Shambellie Muniments, GGD37/1/6/8.

⁴⁶ *The Lag Charters, 1400-1720*, ed. A.L. Murray (SRS, 1958), 42.

⁴⁷ D. Stevenson, *Alasdair MacColla and the Highland Problem in the Seventeenth Century* (Edinburgh, 1980), 108.

⁴⁸ M. Perceval-Maxwell, *The Scottish Migration to Ulster in the Reign of James I* (London, 1973), 286-9.

⁴⁹ I.D. Whyte, *Scotland Before the Industrial Revolution: an Economic and Social History, c. 1050-1750* (Harlow, 1995), 120.

1615, the transfer of the family lands and title being approved by the crown 'by a kynd of succession alsweele as by purchase', and Ochiltree was declared to be 'as it wer deade in that oure kingdome', having transferred his interests to Ireland.⁵⁰ Those settling in Ireland were able to offer patronage to their fellow Scots. James Hamilton, Viscount Claneboye, the son of John Hamilton, minister of Dunlop in Ayrshire, acquired large tracts of land in Ards and Claneboye.⁵¹ Claneboye was the patron of a number of Scottish ministers, including John Livingstone at Killinshie, unable to hold parishes in Scotland due to their theological positions, who obtained charges in Ireland. Thus the fact that so many of these future covenanting ministers were able to find refuge in Ireland, maintain regular contact with the south-west and later return to Scotland, was crucial to the development of south-west Scotland as a mainstay of the covenanting movement.⁵²

If the relationship with Ireland was the most important external geographical factor relative to the south-west, perhaps the least important was its proximity to Argyll, which, the influence of the Campbells of Loudoun excepted, had no direct impact on the region.⁵³ In the 1590s, Hugh Campbell of Loudoun, sheriff of Ayr, was identified as a 'highlander' and an associate of the earl of Argyll. This perception was reinforced by the marriage of Campbell of Loudoun's eldest granddaughter and heir to John Campbell of Lawers, later the 1st earl of Loudoun.⁵⁴ There was, therefore, a territorial and familial link between Argyll and Loudoun, two of the most prominent covenanting nobles of the 1640s. The link with Argyll may have had an impact on Loudoun's support for the Covenant; more definitely it had a bearing on his prominence within the administration and his appointment as chancellor in 1641. By this time both men were playing on the national stage and this was a political relationship forged there, not within the context of local politics. The connection may, however, have increased Argyll's interest in and knowledge of the south-west

⁵⁰ *Scots Peerage*, vi, 516-7; *RPC*, 1st series, x, 334; *RMS*, vii, 1248.

⁵¹ *DNB*, viii, 1062-1063; Foster, *Modern Ireland*, 60.

⁵² D. Stevenson, *Scottish Covenanters and Irish Confederates* (Belfast, 1981), 12-13. For a more detailed discussion of the careers of Livingstone, Blair *et al* and the significance of ministers from Ireland in encouraging religious dissent in the south-west, see chapter four below.

⁵³ For a discussion of the extent to which Argyll's proximity to Ireland raised similar problems to those experienced in the south-west see A.I. Macinnes, *Clanship, Commerce and the House of Stuart, 1603-1778* (East Linton, 1996), 78-9.

⁵⁴ *CSPS*, xi, 338, 527.

when local affairs did become more crucial to the furtherance of his political interests, as in 1648 when the area provided the core of the opposition to the Engagement and the majority of the army of the Whiggamore Raid.

The proximity of the south-west to Argyll and to Ireland does underline an important consideration. While the south west was indeed immediately adjacent to the central belt, it was also a frontier zone and its security of strategic importance. In 1597, the laird of Ladyland seized the island of Ailsa Craig, off the Ayrshire coast, in the interests of Spain and the Catholic Church. Ailsa Craig was part of the estates of the earl of Cassillis, who was enjoined to be more careful of his property in future as it was feared that 'the eyes of the practicers of Ireland are set upon that piece'.⁵⁵ In 1592 the suggestion was made that 'All the Catholics in Scotland have delivered their mynds to the Lord Maxwell to requyre ayde from Spaine to lande in the weste partis of Scotland and therewith to restore the Catholike religion in Scotland and to invade England also by the west borderis'.⁵⁶ James VI was concerned that aid from west coast ports to Irish rebels would undermine the amity with England, issuing proclamations forbidding trade with the rebels to secure 'the mutuall intertenement of the guid and happy peace standing betuix his hienes and his Majesteis dareest sister, the Quene of England'. These fears were realised as action was taken against several inhabitants of Irvine for providing aid to the rebels and the magistrates of Irvine, Ayr, Wigtown, Largs, Whithorn and Kirkcudbright were indicted for allowing contraband trade.⁵⁷

The strategic importance of the south-west as a frontier region was further underlined by its proximity to England. When James VI returned south after his 1617 visit, he took the western route across the border, travelling south from Glasgow via Sanquhar, Drumlanrig, Dumfries and Annan.⁵⁸ While the east coast route between Scotland and England was undoubtedly the more important, the border crossing between Annan and Carlisle was still significant, although due to the waterlogged nature of the terrain, troops or heavy loads would have been unable to travel by land

⁵⁵ *CSPS*, xii, 74.

⁵⁶ HMC, *Report of the Laing Manuscripts preserved in the University of Edinburgh*, 2 vols. (London, 1914), i, 80-1.

⁵⁷ *RPC*, 1st series, vi, 252-3; 324; 304-5; 384.

⁵⁸ W.A. McNeill and P.G.B. McNeill, 'The Scottish Progresses of James VI, 1617', *SHR*, lxxv (1996), 38-51.

from Carlisle to Gretna, but would have had to ford the upper reaches of the Solway at Annan. The majority of the Scottish armies which entered England during the wars of the 1640s used the east coast route, heading for Newcastle, but the last-ditch invasion of 1651 crossed the border in the west, as did the Army of the Engagement in 1648. When James Graham, marquis of Montrose seized Dumfries in an opportunistic attack in 1644, he did so at the head of an army which had crossed from England and, when he was unable to hold Dumfries, he retreated back across the border. Thus the strategic nature of the western end of the Anglo-Scottish border is clear, with the result that this section of the south-west must be considered within the context of a cross-border community.

In the first half of the seventeenth century, however, the economic importance of this alignment was still largely undeveloped, particularly as the cattle trade within the south-west and the importation of cattle from Ireland, driven through Galloway and Dumfriesshire to the main tryst at Dumfries, would not take off until the latter half of the seventeenth century.⁵⁹ Outside of local trade, the north-west of England did not offer sufficient economic inducement, such as the attraction Liverpool would provide as the most accessible major port in the nineteenth century, principally because the English side of the border was as yet underdeveloped.⁶⁰ As the south-west had a proliferation of smaller burghs and rural markets, there were easily accessible markets for local produce. Yet evidently there was a fairly steady stream of cross-border traffic. The archbishop of Glasgow added a patriotic element to his request that John Murray of Lochmaben honour his commitment to build a church at Gretna by suggesting that 'strangeris from England resort often hither, and it is schame to see no course taken for a Church to serve God in'.⁶¹ This could on occasion create jurisdictional conflict. In 1624, the justices of the peace of Cumberland requested that two Englishmen imprisoned in Dumfries for passing false coin should be

⁵⁹ For the growth in cattle rearing and export in the south-west after 1660 see I.D. Whyte, *Agriculture and Society in Seventeenth-Century Scotland* (Edinburgh, 1979) 124-6.

⁶⁰ Although significant trade did take place across the western half of the border, e.g., in 1621, 4640 sheep and 2531 cattle were transported to England, S.G. Lythe, 'The Economy of Scotland under James VI and I', in A.G.R. Smith (ed.), *The Reign of James VI and I* (London, 1973), 71. This also underlines the importance of sheep over cattle in the first half of the century. For the economic development of the cross border region see Campbell, *Owners and Occupiers*, 5-6.

⁶¹ *Ecclesiastical Letters*, i, 442.

returned to Carlisle for examination. The privy council compromised by judging that the matter should be dealt with in Dumfries with the proviso that the accused's executions should be postponed to allow the English justices to question them.⁶²

That the south-west's proximity to England had practical implications is demonstrable. That it had any ideological impact is less clear. Given the parallel development of opposition to Charles I in all three of his kingdoms and that fact that the war against him became a truly British affair, the geographical location of the south-west offers a tempting solution to its development of religious and political radicalism, as is to a limited extent tenable in the decades prior to the Reformation.⁶³ In the seventeenth century, however, the link was not there. Just as the alliance between Argyll and Loudoun was driven by national not local politics, so the contacts which nobles and ministers from the south-west had with England in the late 1630s and in the 1640s came about in the context of national politics. The political trail led not from the south-west to England, but from the locality, to Edinburgh and then to England. The answer to the origin of the radical south-west will have to be sought elsewhere, not least in the political events which developed wholly outwith the locality.

⁶² *RPC*, 1st series, xiii, 512-3, 552.

⁶³ Tradition has credited Alexander Gordon of Earlstoun's great-grandfather, Alexander Gordon of Airds, with being one of the earliest adherents of the Reformation in Galloway. Having encountered Protestant ideas whilst on a visit to England, Gordon of Airds brought home a copy of Wycliffe's New Testament, which he read to his family, tenants and others, M.H.B. Sanderson, *Ayrshire and the Reformation: people and change, 1490-1600* (East Linton, 1997), 45. The seventeenth century, however, did not see similar ideological cross-fertilisation.

CHAPTER TWO

South-West Scotland and Scottish Politics, 1600-1650

Chronology of Events

On 30 January 1649, Charles I stepped out of the window of the Banqueting House of the Palace of Whitehall onto the scaffold on which his execution would take place, an event which, according to one contemporary Scottish commentator, brought to an end 'One Act of our lamentable Tragedy'.¹ Charles was the second Stewart monarch to be executed in England, his grandmother, Mary, Queen of Scots, having suffered a similar fate in 1587. Both events shared one feature in common: that the chain of events which led to their demise was set in motion by a revolt in Scotland leading to a civil war, precipitated by what has been caricatured as that peculiarly Scottish phenomenon, the unholy alliance of nobles and ministers which any successful early-modern monarch would be well advised to avoid at all costs.²

Despite this superficial similarity, historians have treated the two reigns in very different fashions. Significant blame has been ascribed to the personalities of both monarchs, yet the reasons for the downfall of Mary have been sought largely within the confines of the personal reign, whereas the time-frame for the origins of Charles I's problems has been more open-ended.³ In one sense this is not surprising. Mary's personal reign opened with one of the watershed events of Scottish history - the Reformation - while 1625 was only significant as the year of Charles's accession. The debate as to whether or not the causes of the revolt against Charles I in Scotland should be sought solely within the context of the personal reign has been less

¹ Baillie, *Letters and Journals*, iii, 66.

² The comparison is drawn by, for example, Maurice Lee in his 'Scotland and the "General Crisis" of the Seventeenth Century', *SHR*, lxiii (1984), 150.

³ Compare Jenny Wormald's assessment of Mary as a monarch with 'an inability to make or keep contact with political reality' [*Mary, Queen of Scots: a study in failure* (London, 1988), 187] with Maurice Lee's conclusion that 'King Charles brought his ruin upon himself ... the king provoked it by his own ineptitude' ['Scotland and the "General Crisis"', 151]. The comparison is particularly pertinent as assessments of the reigns of Mary and Charles have tended to inform - or to be informed by - historians' opinions of the intervening reign of James VI.

polarised than the similar debate over the causes of the civil war in England. Recent commentators have tended to reach a fairly even-handed assessment of the position Charles I inherited in Scotland. Michael Lynch has suggested that 'It is difficult to pin with any precision part-responsibility on James VI for the wave of protest which would later engulf Charles I, but it is as difficult to grant him absolution'. Alan Macinnes has argued that 'Charles I ascended the throne against a background of diminishing confidence in absentee kingship ... Charles I inherited a kingdom in which the Crown had failed to maintain consensus within the political nation'. The main exception to this general agreement is Maurice Lee who claimed, for example, that the situation Charles I found himself in 1637 would have been almost impossible to envisage when James died in 1625.⁴

The issue over the time-frame within which opposition developed is particularly pertinent with respect to the political development of a specific locality. Within the context of a study of the origins of allegiances within the covenanting movement rather than the origins of the movement itself, it must be remembered that the issues which condition allegiance may or may not be identical to the overall causes of the revolt. Should a line, therefore, be drawn at 1625? Was there any continuity between the policies of James VI and Charles I? Were there long term pressures at work within the locality? In short, was this 'more than a mere rebellion against a particular king'?⁵

In the Scottish context the debate is to an extent irrelevant, as there is virtual consensus that 'what transpired in Scotland and England, and Ireland too, would not have happened as it did, or perhaps not at all, had it not been for the Anglo-Scottish union of 1603'.⁶ The significance of the personal union was also recognised by Patrick Galloway in a sermon preached in 1614, in which he claimed that 'we were a pleasant land before his [the king's] going thither; and a church we had in that beautie schynit above all the Churches in the world, neyther heresie nor error nor

⁴ M. Lynch, *Scotland: A New History* (London, 1991), 242; A.I. Macinnes, *Charles I and the Making of the Covenanting Movement 1625-41* (Edinburgh, 1991), 41, 45; M. Lee, *Government by Pen: Scotland under James VI and I* (Chicago, 1980), 4.

⁵ L. Stone, *The Causes of the English Revolution, 1529-1642* (2nd edn, London, 1986), 48.

⁶ M. Lee, 'Scotland, the union and the idea of a "General Crisis"', in R. Mason (ed.), *Scots and Britons: Scottish political thought and the union of 1603* (Cambridge, 1994), 41.

schism in it; and wold to God we had continued so!'.⁷ While 1603 was a moment of great triumph for James VI and for the Scottish nobles such as the 5th earl of Cassillis who accompanied him on his journey south, the subsequent political agenda was shaped not just by the requirements of ruling over multiple kingdoms simultaneously, but also by the difficulties faced by two successive absentee monarchs in governing their Scottish kingdom effectively and sensitively.⁸ It is perhaps not unsurprising that the motif for discontent over the following decades was the fear of anglicisation or, more properly, of enforced uniformity between the kingdoms based upon English precedent.

Nowhere was this made clearer than in ecclesiastical issues, which were governed by a quest for order, uniformity and control.⁹ Six ministers, including John Welsh of Ayr, were banished for attending a general assembly initially summoned to meet at Aberdeen in 1605 but later prorogued by the crown. The issue at stake was who had the authority to convene a general assembly of the church, James asserting that it was the privilege of the crown. James's reign saw the gradual introduction of diocesan episcopacy: the restoration of the clerical estate in parliament and the appointment of constant moderators of presbyteries culminated in the full restoration of the spiritual jurisdiction of bishops and the consecration of three prelates in London in December

⁷ *Ecclesiastical Letters*, ii, 353.

⁸ For a more detailed discussion of the impact of absentee monarchy and the effect of royal policy within the locality see chapter three below.

⁹ John Morrill has suggested that what James was trying to achieve can best be described as 'congruity', a view which he has developed in most depth in J. Morrill, 'A British Patriarchy? Ecclesiastical Imperialism under the Early Stuarts', in A. Fletcher and P. Lake (eds.), *Religion, Culture and Society in Early Modern Britain: Essays in Honour of Patrick Collinson* (Cambridge, 1994). See also J. Morrill, 'The Fashioning of Britain' in S. Ellis and S. Barber (eds.), *Conquest and Union: fashioning a British state, 1485-1725* (Harlow, 1995), 26-8. For a discussion of the rationale behind James's religious policies see A.R. MacDonald, *The Jacobean Kirk, 1567-1625: sovereignty, liturgy and polity* (Aldershot, 1998), 183-6, where he makes the point that the Church of England was closer to James's idea of what a church should be than the kirk he had left behind him in Scotland (184). The idea of 'congruity' can be extended into Charles's reign, e.g., Charles was not trying simply to anglicise the Scottish church, but to ensure that 'best practice' was observed in all three of his kingdoms. From the point of view of the opponents of ecclesiastical innovations, however, these were perceived as anglicisation, rendering the debate about both monarchs' intentions largely academic to the origins of opposition to them.

1610. The two ecclesiastical courts of high commission set up in 1610 - one headed by the archbishop of Glasgow, the other by the archbishop of St Andrews - were viewed with suspicion by presbyterians. Calderwood complained that 'it exalted the aspiring bishops farre above anie prelat that ever was in Scotland ... So our bishops were fitt instruments to overthrow the liberteis both of the kirk and countrie ... One archbishop, with foure secular persons, may suspend or deprive anie minister'.¹⁰ Episcopacy and presbytery co-existed at a local level for the later years of the reign but the higher presbyterian courts fell into desuetude - only three general assemblies met between 1610 and 1625, two of which were constituted solely to discuss the implementation of further liturgical reform. Parliament also met with less frequency, on only three occasions between 1610 and 1625. While national institutions such as parliament and the general assembly were increasingly irrelevant to royal policy, Scotland was, if anything, governed more intensively after 1603. Absentee monarchy increased the role of the privy council, while the period after 1603 saw the extension of the earlier trend to increasingly large and regular taxation and the development of initiatives in the localities, such as the justices of the peace appointed from 1609.

In 1617 James finally succumbed to his 'salmon-like' instinct to return to Scotland. The only visit he made to Scotland after 1603 has been described as 'an ecclesiastical public relations disaster'.¹¹ Where previously the issue had been royal and episcopal control over the institutions of the church, now James sought to tackle the much more sensitive issues of worship and liturgy. An order for all parishes to celebrate communion on Easter Sunday 1614 for the purpose of exposing Catholic non-communicants had been interpreted by 'the sincerest sort' as an attempt to ascertain 'how the people wold beare with alterations and innovations in the worship of God'.¹² The 'Articles required for the service of the Church of Scotland' drawn up in 1615 recommended a liturgy, confession of faith, the practice of confirmation and the drawing up of a code of canons and emphasised the desire for conformity with the Church of England, e.g., the confession of faith was to be 'so neir as can be with the Confession of the Englishe Church'.¹³ The nature of the king's personal devotions at Holyrood, in 1617 with candles and an organ, using the English liturgy and where

¹⁰ David Calderwood, *History of the Church of Scotland*, ed. T. Thomson, 8 vols. (Wodrow Society, 1842-9), vii, 62-3.

¹¹ MacDonald, *Jacobean Kirk*, 158.

¹² Calderwood, vii, 191.

¹³ *Ecclesiastical Letters*, i, 445-6.

communion was received kneeling, signalled the extent to which James had been influenced by his years in England and how he wished matters in Scotland to proceed.¹⁴

James took the matter a stage further by proposing five articles - confirmation by bishops, the celebration of holy days, private baptism, private communion and kneeling to receive communion from the celebrant's hands - which were to be added to the ecclesiastical canons. The general assembly which met in 1617 to consider the Five Articles angered the king by continuing the matter to the next assembly, which met at Perth in August 1618, to which James declared that 'Wee will content Ourselves with nothing, but a simple and direct acceptation of these Articles in the forme by Us sent unto you, now a long time past'.¹⁵ The Five Articles of Perth have been described as 'a serious tactical error' on the part of James.¹⁶ Although the Articles were ratified by parliament in 1621, significant dissent was registered by the numbers of those voting against the Articles, in a parliament which also saw what Balfour called 'the greatest taxatione that ever was granted in Scotland heirtofor in aney age'.¹⁷ Widespread opposition, especially to the requirement to receive communion kneeling, from both the ministry and the laity, ensured that the enforcement of the Articles was even more difficult. Enforcing the observation of religious festivals was equally difficult. The archbishop of Glasgow wrote to the presbytery of Ayr in November 1618, reminding them to obey the ordinances of the Perth assembly and hold services on Christmas Day and threatening punishment, even deposition, if they did not comply.¹⁸ The court of high commission, renewed as a single body in 1619, proved diligent in dealing with those cited before it for 'preaching and speaking in publict against anie of the conclusions of the bypast Generall Assemblies of the kirk; speciallie of the acts of the Generall Assemblie holden at Perth in the moneth of August 1618 years; and all disobeyers of the said acts'.¹⁹

¹⁴ Row, *History*, 307.

¹⁵ *Acts and Proceedings of the General Assembly of the Kirk of Scotland*, ed. T. Thomson, 3 vols. (Bannatyne Club, 1839-45), iii, 1146.

¹⁶ G. Donaldson, *Scotland: James V-James VII* (Edinburgh, 1965), 209.

¹⁷ Balfour, *Works*, ii, 84.

¹⁸ *Ecclesiastical Letters*, ii, 586-7.

¹⁹ Calderwood, *History*, vii, 386.

Charles I indicated his intention to issue an act of revocation - a traditional method by which monarchs could redress grants made to their prejudice during their minority - within weeks of his accession to the throne in March 1625. James had, however, died a mere eight months before Charles would have attained his twenty-fifth birthday. Not only did Charles have no minority, but the revocation had therefore to be intimated in haste, although its exact terms would take much longer to become apparent. While claiming that his revocation was modelled on his father's act of 1587, the reaction to Charles's revocation was very different. Initially without retrospective limit of time, the act covered grants of both crown and church land and went further to include the surrender of heritable jurisdictions and teinds, which has been described as 'social engineering on an unprecedented scale'.²⁰ Although the crown had neither the political or financial resources to fully implement the revocation, it remained a deeply unpopular and potentially destabilising policy.

Charles did not come north for his coronation visit until 1633, a event much anticipated by his Scottish subjects, but which proved to be every bit as problematic as James's visit in 1617. The king's management of the parliament and his blatant observation of those who opposed him were deeply resented. Lord Lindsay and Campbell of Loudoun had their patents for earldoms rescinded as a result of their opposition in the parliament of 1633. Perhaps the most controversial piece of legislation, the act empowering the king to prescribe clerical dress, was symptomatic of Charles's approach. The act was linked with a statement acknowledging 'the royall prerogative and priviledge of his crowne over all estaites, persones and causes quhatsumevirr within this kingdom', rendering opposition to the act opposition to the king himself, clearly the strategy of an aspiring absolutist monarch. This impression was confirmed by the trial of Lord Balmerino for treason in 1634, simply for having in his possession a document mildly critical of the 1633 parliament.

Although Charles had continued the use of bishops in civil affairs begun by his father and was popularly perceived to favour bishops who were Laudian or Arminian, the first decade of the reign saw no major innovations in religion. The question of a liturgy was, however, under investigation by Charles and Laud. The publication of a book of canons in 1636 was followed by the announcement that a liturgy or service book would be forthcoming. Crucially both canons and service book would be issued

²⁰ The scope of the revocation varied. For a discussion of time-limits for different types of grant see Macinnes, *Covenanting Movement*, 54-7.

not by the authority of either a parliament or a general assembly but by royal proclamation. Although some concessions had been made to Scottish sensibilities in the preparation of the liturgy, it was modelled largely on the English prayer book, with the result that the general opinion of the service book was encapsulated by the minister who described it as a 'Popish-English-Scottish-Masse-Service Booke'.²¹

A pre-planned riot greeted the first reading of the new service book in St Giles Cathedral on 23 July 1637. Those who were seen to be advocates of the service book or who preached in favour of it were dealt with equally violently. Thomas Sydserff, the bishop of Galloway, was attacked by mobs at Falkirk, where 'the wives railed, and shord him with stones', at Dalkeith and, on 18 October 1637, by rioters in Edinburgh said to have been led by a group of women who 'after some quarrelling of him for his crucifix began to pluck at him and affray him'.²² In Glasgow, the preaching of William Annand, minister of Ayr, in favour of the service book was accompanied by the 'rayling, cursing, scolding' of about '30 or 40 of our honestest women'. Worse was to follow for Annand was later set upon by 'some hundreds of intraged women, of all qualities ... they beat him sore; his cloake, ruffe, hatt, were rent ... he was in great danger, even of killing.' According to Robert Baillie, 'This tumult was so great, that it was not thought meet to search, either in plotters or actors of it, for numbers of the best qualitie would have been found guiltie'.²³

Political developments between the prayer book riot and Charles's arrival in Scotland in the autumn of 1641 were shaped by three processes: the inability of the king to comprehend the scale of events and respond appropriately, the failure of the king's Scottish administration to mediate in this situation and the consequent take-over of the machinery of government by the covenanters. The politicisation of opposition to the service book was developed by the presentation of petitions and the organised mobilisation of the disenchanted, resulting in what has been described as a 'crisis by monthly instalments'.²⁴ Four petitions from the presbyteries of Ayr, Irvine, Glasgow and St Andrews were presented to the privy council on 23 August. The process of petitioning was encouraged in the localities and on 20 September a national petition was presented along with 68 local petitions. Of the forty-seven surviving petitions,

²¹ Row, *History*, 398.

²² Baillie, *Letters and Journals*, i, 37, 51.

²³ Baillie, *Letters and Journals*, i, 21.

²⁴ D. Stevenson, *The Scottish Revolution, 1637-44* (Newton Abbot, 1973), 74.

over half came from the south-west and the majority of the remainder from Fife. Other petitions were drawn up and submitted at a later date, such as the petition circulated throughout the presbytery of Kirkcudbright for mass subscription.²⁵ It was announced that the king's response to the petition would be made known on 17 October, by which time many protesters had gathered in Edinburgh. A further supplication was drawn up on 18 October, subscribed by at least 500 petitioners and again circulated throughout the localities. The regional orientation of dissent was already becoming apparent. The protesters in Edinburgh commissioned two drafts of a petition against the bishops and the service book: one to be drawn up by a Fife minister and nobleman, Alexander Henderson and Lord Balmerino; the other, described by Baillie as 'our westland one', was entrusted to Lord Loudoun and David Dickson.²⁶ A similar observation was made by John Livingstone, who claimed that 'The true rise of that blessed reformation in Scotland began with two petitions against the Service Book, the one from the West, and the other from Fyfe'.²⁷ By November 1637, the protesters present in Edinburgh had constituted themselves as an alternative administration, the Four Tables, of nobles, lairds, ministers and burgesses, brought together by a Fifth Table composed of representatives drawn from each group which acted as an overall executive. The National Covenant, first subscribed in February 1638 and circulated throughout the country for signature, would, with the Solemn League and Covenant, of 1643, be used as a bench-mark for adherence to the principles of the movement throughout the 1630s and 40s.

By September 1638 the king had begun to respond, permitting the calling of a general assembly and, crucially, authorising the subscription of the King's Covenant, which incorporated the Negative Confession and provided a royalist alternative to press for subscription. The first general assembly since 1618 opened on 21 November 1638 in Glasgow Cathedral and continued to meet in defiance of its dissolution by the king's commissioner to the assembly, James, 3rd marquis of Hamilton. During the month in which it sat, the Glasgow Assembly disavowed the Five Articles, the book of canons, the service book, all acts of assembly passed since 1606 and the institution of episcopacy itself, before proceeding to try the bishops in their absence and begin the ejection of parish ministers who were deemed unsympathetic.

²⁵ *RPC*, 2nd series, vi, 709-715.

²⁶ Baillie, *Letters and Journals*, i, 35.

²⁷ *Life of Livingstone*, 159.

One indication that at least some of the covenanters were envisaging a take-over of the mechanisms of government as early as 1639 was the proposal that they should raise monies to meet their expenses. In 1638 it was suggested that voluntary contributions should be raised to pay for costs incurred by the protest movement against the service book. A year later it was decreed that the rentals of every parish were to be valued to ensure that the costs of the First Bishops' War could be spread evenly.²⁸ A bond was circulated for subscription in 1640, the signatories to which agreed that taxes would be raised to support the covenanting regime, calculated on the basis of valued rent, based upon the ability to pay and, crucially in the light of the amount of lands placed in wadset, which specifically stated that relief was to be obtainable from annual rents on wadset lands.²⁹ This bond was supported by a letter of information, issued in the names of Argyll, Montrose, Eglinton, Rothes and Cassillis, which clarified how the taxation system would work.

While by no means all of the political community supported the developments in church and state, Charles was unable to create a coherent royalist party, although a royalist response can be seen in the subscription of the royalist Cumbernauld Bond by Montrose and seventeen others in August 1640. By 1641 a virtual constitutional revolution, including the passing of a triennial act, had been secured. The development of the covenanting executive side-stepped the privy council and, in effect, the king. Although the privy council had largely been made redundant, the scrutiny of Charles's nominees for the council in 1641, seven of whom were originally rejected, was a potent symbol of the power shift that was occurring. The constitutional revolution was reinforced by a revolution in the way in which Scotland was governed. Administrative devices to run the covenanting regime and prosecute the war were set up both at the centre and in the localities and aimed to link the two, including the shire committees of war in the regions of the kingdom, mechanisms for successful tax collection and the multiplicity of parliamentary committees, set up to, for example, raise taxation, liaise with the English parliament and with the covenanting armies. Both parliament and general assembly met regularly throughout

²⁸ Rothes, John Leslie earl of, *A Relation of Proceedings Concerning the Affairs of the Kirk of Scotland, from August 1637 to July 1638*, ed. J. Nairne (Bannatyne Club, 1830), 71-2, 80-1; D. Stevenson, 'The Financing of the Cause of the Covenants', *SHR*, li (1972), 89.

²⁹ John Spalding, *The History of the Troubles and Memorable Transactions in Scotland and England, 1624-45*, ed. J. Skene, 2 vols. (Bannatyne Club, 1824-29), i, 184, Spalding's account of how this was carried out in Aberdeen is on p. 251.

the 1640s and were represented between sessions by the committee of estates and the commission of the kirk respectively.

The stakes had been raised by the commencement of hostilities. Although the First and Second Bishops' Wars of 1639 and 40 'produced very little war and a lot of negotiation',³⁰ the need to raise troops had forced Charles to recall his English parliament. The outbreak of civil war in England in 1642 and the conclusion of an agreement between the covenanters and the English parliament symbolised by the Solemn League and Covenant, coupled with the Irish rebellion in 1641, left Charles facing a war in all three of his kingdoms. It also left the covenanters facing a war on three fronts. The first Scottish troops left for Ulster early in 1642, while an army crossed the border in January 1644 to assist the English parliamentarians in their war against Charles. The first serious royalist counter-measure developed in Scotland in 1644, with the campaigns of Alasdair MacColla and the marquis of Montrose, who achieved major successes in 1644 and 1645, before the royalist offensive was brought to a halt by Montrose's defeat at Philiphaugh in September 1645. The campaigns of Montrose and MacColla were significant not only in terms of their military success but, as the first concerted royalist military endeavour, they provided a potential focus for royalist sympathisers who had previously been inactive. The royalist counter-response also provided the justification for the covenanting regime to enhance its grip on the administration and purge royalists and malignants from public office. The term 'malignant' was used by the covenanters in a very non-specific sense and, while it was frequently used to denote those who had associated themselves with the activities of Montrose, it was also used to describe anyone who actively opposed the covenanting regime.

In May 1646 Charles surrendered to the Scottish army at Newark, bringing to an end the First Civil War in England. After months of negotiation between the Scots, the king and the English parliament, the army finally withdrew from England in January 1647. The situation was to radically alter in June with the seizure of the king by the New Model Army. By December 1647 the earls of Loudoun, Lanark and Lauderdale had concluded a treaty with Charles I - the Engagement - and, in July 1648, another Scottish army invaded England, this time in support of the king. The events of 1647-8 - the opening of negotiations with Charles I, the ratification of the Engagement by

³⁰ J. Scally, 'Counsel in Crisis: James, third Marquis of Hamilton and the Bishops' Wars, 1638-1640', in J.R. Young (ed.), *Celtic Dimensions of the British Civil Wars* (Edinburgh, 1997), 19.

parliament and the general assembly and the levying of an army to fight on behalf of the king - can be portrayed either as a return to the true origins of the Covenant or 'the biggest turn-over of opinion in the century'.³¹ The Engagement was, however, deeply unpopular in the south-west, which produced over half of the petitions against it and where levying of troops for the Engager Army proved difficult. Around 2,000 participants in an armed conventicle on Mauchline Moor were dispersed by troops in June 1648. Following the comprehensive defeat of the Engager Army at Preston in August 1648, troops from the south-west raised by the earls of Cassillis, Loudoun and Eglinton and Lord Kirkcudbright marched on Edinburgh in conjunction with forces from the western borders, Fife and Argyll and, with the support of Oliver Cromwell, the Whiggamore Raid established a counter-regime dominated by the radical elements of the covenanting movement which excluded those who had been associated with the Engagement.

Later hagiographers came to regard 1648 as 'the top of her [the kirk's] perfection and glory'.³² In many ways 1648 can also be seen as the apogee of the radical south-west. Prior to 1648 the south-west had made a significant contribution to the covenanting movement. The Engagement, and the unwillingness of nobles such as Cassillis and Eglinton to support it, showed just how radical some of the covenanters from the south-west were. The creation of a radical covenanting regime in the wake of the defeat at Preston marked a sea change in the role of the radical south-west in the movement, as it went from being an important element in a broadly consensual movement to being crucial to ensuring the rejection of the Engager ideology and the establishment of a more radical covenanting administration.

The dominance of the radicals proved to be relatively shortlived. The proclamation of Charles II as king by the Scottish parliament led, after protracted negotiation, to Charles's return to Scotland. Charles finally subscribed the Covenants in June 1650, although his coronation would not take place until 1 January 1651. The army defeated by Cromwell at Dunbar on 3 September 1650 was a purged army of the godly. In October 1650 Charles II attempted to join a royalist force in the highlands led by the earl of Middleton in 'The Start'. The response of many to the defeat at Dunbar was to consider the possibility of relaxing the ban on malignants serving in

³¹ Donaldson, *James V-James VII*, 337.

³² James Kirkton, *A Secret and True History of the Church of Scotland*, ed. C.K. Sharpe (1817), 2.

the army and there were already signs that formerly resolute covenanters such as Argyll were beginning to contemplate dealing with royalists. At the other end of the political spectrum, the more radical covenanters reasserted themselves in the south-west after Dunbar in the Western Association 'demonstrating more clearly than before the political and religious radicalism of the south-west'.³³ Some of troops which had survived Dunbar mustered in the south-west as the army of the Western Association, outwith the control of the covenanting regime, but were heavily defeated by an English force at Hamilton in December 1650. The Act of Classes was finally repealed in June 1651 but to little advantage. On 3 September 1651, a year after Dunbar, the Scots suffered a final and crushing defeat at Worcester, leaving a Scotland already partially occupied by Cromwell open to conquest and occupation.

Robert Baillie was hardly exaggerating the circumstances of some of his former covenanting associates during the Interregnum when he lamented that:³⁴

Chancellor Loudoun lives like ane outlaw about Athole, his lands comprised for debt, under a generall very great disgrace:- Marschell, Rothies, Eglinton and his three sonnes, Crauford, Lauderdaill, and others, prisoners in England; and their lands all either sequesterate or forfault, and gifted to English sojourns:- Balmerinloch suddenly dead, and his sonne, for publick debt, compyryseings, and captions, keeps not the calsie:- Warriston, haveing refounded much of what he got for places, lives privilie, in a hard enough condition, much hated by the most, and neglected by all, except the Remonstrants, to whom he is guide.

Living with the Cromwellian occupation would bring new challenges for former covenanters. William Adair, minister of Ayr, who had been at Mauchline Moor and with the Scottish army at the battle of Dunbar, was directly affected by the Cromwellian occupation. Ayr was one of the locations selected by the Commonwealth to garrison and fortify. The medieval parish church of Ayr, where John Knox and John Welsh had preached and in which William Adair had preached against the Engagement, was subsumed within the massive Cromwellian fortification and the church itself became a storehouse.

³³ D. Stevenson, 'The Western Association, 1648-50', *Ayrshire Collections*, xii, (AANHS, 1983), 175.

³⁴ Baillie, *Letters and Journals*, iii, 249.

Radicalism and Revolution?

'Radical' is a non-specific designation and is often unhelpful due to indiscriminate usage; in the context of this discussion it is a term inherited rather than specifically chosen. In Scotland 'radical' has been used variously of sixteenth-century presbyterianism, the political activities of Thomas Muir in the 1790s, and the 'Radical War' of 1820, all of which had vastly different religious, constitutional, political, or social agendas. Yet all of the above possessed one common factor: a class of activity which seemed threatening to the *status quo* of the day. But, as near-synonyms such as 'jacobin', 'extremist' and 'reformer' suggest, the term 'radical' covers a wide range of activity. Thus the conclusions reached by the editors of the *Biographical Dictionary of British Radicals in the Seventeenth Century* hold true for Scotland: that radicalism must 'be judged in the context of the available spectrum of dissent at a given time ... There is no radical orthodoxy as such, but a periodically shifting response to historical situation'.³⁵

In the context of early modern Scotland, the term 'radical' has very specific connotations. The label 'conservative' has been commonly applied either to Catholics, episcopalians, or to royalists. Consequently its antonym, 'radical', has been used in a strictly limited sense to denote Protestants or presbyterians in opposition to the crown, either because of religious principles or under the guise of religion. Thus, in 1638, subscription to the National Covenant was near normative in Lowland Scotland and non-subscription the maverick act, yet this does not make failure to subscribe radical *per se*. Radicalism in this sense does not denote any fixed political philosophy or social programme but is, in essence, a party or factional label.³⁶

While the designations 'covenanter' and 'royalist' are in most respects preferable to the more subjective 'radical' and 'conservative', within the covenanting movement, 'radical' carries a further, more useful, connotation - as an indicator of the more militant or committed supporters of the Covenants. It cannot, however, simply

³⁵ R. Greaves & R. Zaller (eds.), *Biographical Dictionary of British Radicals in the Seventeenth Century*, 3 vols. (Brighton, 1982), i, pp. ix-x.

³⁶ As, for example, in eighteenth- and nineteenth-century Britain, in which 'radical' developed from a term of abuse to a political designation whereby 'Radicals' supported parliamentary reform and the extension of the franchise. For the use of 'radical' as a party label see J.R. Young, *The Scottish Parliament, 1639-61* (Edinburgh, 1996), 1.

indicate fanaticism, particularly when any opposition to the crown could be, and indeed increasingly was, construed as extreme behaviour. Arguably it was this sense of growing absolutism, evidenced in a monarch against whom no legitimate criticism or complaint could be apparently levelled, which proved a potent factor in promoting revolution. It mattered little whether or not Charles I was a more arbitrary monarch than his predecessors: what mattered was that his subjects increasingly perceived him as such. The credentials for radicalism also vary according to social standing as, for example, the criteria may vary for a member of the nobility as opposed to a member of the clergy or for those inside or outside of the circles of government and patronage. In the final analysis, 'radical' remains an inexact term, though its use as a label for a particular segment of the political spectrum in the 1630s and 40s is broadly analogous to contemporary usage. While not recognising the term 'the radical party', contemporaries would have mentally equated it, in the context of high politics, with the shifting faction surrounding Archibald Campbell, 8th earl and 1st marquis of Argyll or, in terms of social unrest and insurrection, with the fear of the 'men of the west'.

The same problems with terminology occur with respect to what to call the events which transpired after 1637. Nomenclature which reflects the British context of events, such as 'The War of the Three Kingdoms', the 'War of the British Archipelago' or the 'British Civil Wars' is useful, but reflects one aspect of the conflict and can only be applied to the period after 1639.³⁷ Contemporaries might have designated it a revolt or a rebellion. These terms have royalist overtones, implying a revolt against established order, although they can be used less sweepingly to suggest revolt or rebellion against specific policies. This leaves the two designations which have principally been employed in the Scottish context - the covenanting or Scottish 'revolution' and the 'covenanting movement'. The phrase 'covenanting movement', in particular, accurately depicts the growth and continuance of opposition to Charles I and is non-dogmatic, reflecting the variety of opinion and thought within the movement.

The extent to which the covenanting movement overall was a revolutionary movement has a direct bearing on any attempt to define radicalism. It has been said

³⁷ See, for example, J.G.A. Pocock, 'The Atlantic Archipelago and the War of the Three Kingdoms', in B. Bradshaw and J. Morrill (eds.), *The British Problem, 1554-1707: State Formation in the Atlantic Archipelago* (London, 1996), which includes a discussion of whether it should be war(s) singular or plural, 183-4.

that 'in the summer of 1638, the Covenanters were not all recalcitrant hard-liners with a set agenda intent on abolishing Episcopacy, reforming Parliament and completely re-interpreting the relationship between Crown and State, Crown and Church'.³⁸ A minority undoubtedly did have these aims, the majority some of them, albeit expressed in less concrete terms, and another group envisaged none of these outcomes. Few at the time would have conceived of themselves as radicals. The ministers portrayed themselves as the true conservatives, wishing to restore the church to her former purity, free from corruptions in worship and polity. The inclusion of the 1581 Negative Confession within the National Covenant was significant for many reasons, not least because it allowed the church to claim that it was seeking to redress former breaches of a pre-existing covenant. The Covenant couched its aims in equally traditional language, vowing 'to maintaine the true worship of God, the Majesty of our King, and peace of the Kingdome'.³⁹ This fits to some extent with Greaves and Zaller's definition of radicals as 'those who sought fundamental change by striking at the very root of contemporary assumptions and institutions, often in order to revert to what they judged to be the proper historic roots'.⁴⁰

The observation that 'what was remarkable in the covenanting experience of 1638 was that there should have been a physical document that one could actually sign in the knowledge that it was a covenant' is a very valid one.⁴¹ A verbal oath would, of necessity, have had to be much shorter, would have been more open to public scrutiny and could not have expressed the complexities implicit within the text of the Covenant. How many of those who affixed their signatures to the National Covenant actually read the document, never mind considered its implications, is a moot point. Robert Baillie claimed to have asked several ministers who subscribed the supplication on 18 October 1637 what they had just signed and found that they were unable to tell him.⁴² Signing the National Covenant was not, therefore, tantamount to signing up for the full legislative and military programme of the 1640s. Nor was

³⁸ Scally, 'Counsel in Crisis', 21.

³⁹ The National Covenant; for text see G. Donaldson (ed.), *Scottish Historical Documents* (Edinburgh, 1974), 199.

⁴⁰ Greaves & Zaller (eds.), *Biographical Dictionary*, i, p.viii.

⁴¹ E.J. Cowan, 'The Making of the National Covenant' in J. Morrill (ed.), *The Scottish National Covenant in its British Context* (Edinburgh, 1990), 82.

⁴² Baillie, *Letters and Journals*, i, 35-6.

signing the Covenant sufficient evidence to conclude that an individual was a covenanter although, given the mass nature of the subscription process, refusal to subscribe or a significant delay in subscription is a good index of lack of sympathy with the covenanting movement. Some, however, signed purely to enter into public office or, like the unfortunate William Annand of Ayr, in an attempt to protect their position. According to Robert Baillie:⁴³

The great business ... hes been, to have that Confession subscriyved be all hands; and through all hands almost hes it gone. Of Noblemen at home, who are not counsellors or papists, unto which it was not offered, I think they be within foure or five who hes not subscriyved. All the Shyres have subscriyved, by their Commissioners; and all the Tounes except Aberdeen, St. Andrews, and Craill; yea the particular gentlemen, burgesses and ministers have pit to their hands; and the parishes throughout the whole countrey, where the Ministers could be persuaded, on a Sabbath day, all have publickly, with ane uplifted hand, sworn it.

Whatever appeal was made to historical precedent, given how royal policy had developed since 1603 and the manner in which Charles had responded to previous criticism, to seek to place any limitations on the king's powers, to reject alterations in the worship of the church, simply 'humblie craving a free general assembly and parliament' was nothing less than revolutionary.⁴⁴ As the National Covenant was designed to be acceptable to a mass audience it was guarded in its phraseology; the intentions of those who drew it up were perhaps far less moderate. Robert Baillie exhibited some concern over a draft of the National Covenant, some clauses of which 'might have seemed to import a Defence in armes against the King'. According to Baillie, these clauses, which had also caused some difficulty for the earl of Cassillis, were altered 'so that no word, I hope, remaines in this write, whilk, in any congruitie, can be drawn against the Prince'.⁴⁵ The debate over the intentions of the covenanters in 1637/8 is, however, irrelevant in the sense that these early aspirations were largely negated by the pressure of events. Much of the agenda of 1637/8 had been achieved by 1641. It was the need to preserve these achievements that would take the covenanting movement to a further level, a level beyond which some of its initial supporters were unwilling to go. It was then that the role of the more radical covenanters, those prepared to defend the recent accomplishments with, as the

⁴³ Baillie, *Letters and Journals*, i, 62. Baillie was writing in April 1638.

⁴⁴ Balfour, *Works*, ii, 263.

⁴⁵ Baillie, *Letters and Journals*, i, 52-3.

National Covenant expressed it, 'the uttermost of the power that God hath put in our hands', would become crucial.⁴⁶

⁴⁶ Donaldson (ed.), *Scottish Historical Documents*, 200.

CHAPTER THREE

Centre and Locality: Local Power and National Politics

Centre and Locality

The relationship between the executive and the regions of the kingdom is a key context for assessing the success of any early-modern Scottish monarch. In a still largely decentralised state this relationship was, at the most basic level, the point of contact between governor and governed. In Scotland, the success - or failure - of this interaction between 'court and country' or 'centre and locality' assumed greater significance after the removal of the monarch to London in 1603, after which the concept of 'the centre' was itself in flux: was it Edinburgh or London, the king or his Scottish administration? For contemporaries, however, the relationship was more organic, a question of balance between a number of co-existing power bases. From the king's perspective his localities were a concern primarily when they interfered with the smooth course of royal government. Of course the converse was equally true; the monarch was often an issue for his subjects only when he threatened their way of life or vested interests, or when they required patronage.

Stewart monarchs have traditionally been judged as successes or failures according to criteria which incorporate these, sometimes contradictory, ideas of central power and local harmony. Effective monarchy meant a strong, centralised power base bolstering the authority of the crown in the localities. The relationship between centre and locality can be represented in various ways - by the institutional dynamics of power, the channels through which the crown implemented policy in the locality, or by the personal interaction between each sphere, such as the relationship between the king and his nobles. The connections between centre and locality were also affected by geography; by distance from the heart of the kingdom and ease of access from the localities to the centre of government. Thus the term 'locality' tends to be associated with perceived problem areas such as the highlands and the borders. In practice, however, the serious political challenges facing the Stewart monarchy in the sixteenth, and certainly the seventeenth, centuries came from central Scotland - Ayrshire, Fife and Lothian. The question of how the monarch and his government related to an area such as the south-west of his kingdom is, therefore, particularly relevant. How did royal government function in a specific locality? How successfully

did James and Charles deal with local politics? Where did the levers of power lie? What did the king want from his localities and, equally importantly, what did they want from him?

While the role of central government did become increasingly important in the reigns of James VI and Charles I, its success was still determined by the monarch's ability to govern his localities. Nor did the centre exist in and of itself, for its constituent parts - administrators, privy councillors, nobles in the king's favour - derived from the locality. Political success at all levels depended on the ability to operate effectively within both spheres of influence. This was particularly true of the greater and lesser nobility, who were both central and local, a fact which James VI recognised when he advised his son to remember that 'vertue followeth often noble blood', especially since 'it is they must be the armes and executers of your lawes'.¹ Influence at court ideally hinged on a strong power base in the locality, while royal favour was an equally important contributor to noble power. Influence at court, however, was not always compatible with influence in the locality; indeed the conflicting demands of the two environments could prove difficult to reconcile. The potential also existed for antagonism between the representatives of centre and locality as, for example, when the bishop of Galloway wrote to the earl of Annandale, complaining about the interference of Stewart of Garlies with the bishop's possession of Whithorn Priory because 'these countrey people ar verie bold to affirme what they please, where none is to controll them'.²

John Kennedy, 6th earl of Cassillis and William Cunningham, 8th earl of Glencairn were prominent in the covenanting administration of the 1640s. The careers of their predecessors provide an insight into the political role enjoyed by the traditional aristocracy of the south-west. Of the three earls based in the south-west prior to 1603 - Cassillis, Eglinton and Glencairn - the career of the 6th earl of Glencairn offers an undeniably extreme example of sporadic involvement in government.³ A regular attender of the privy council in 1582-3, the period associated with the regime of the Ruthven raid, he spent most of the following years in comparative political obscurity, primarily in his local power base, the north of Ayrshire. Thus, in the two years prior

¹ James VI, *Basilikon Doron*, ed. J. Craigie, 2 vols. (STS, 1944-50), i, 87.

² *Ecclesiastical Letters*, ii, 451.

³ The 7th earl of Glencairn enjoyed the title for a relatively brief period between 1631 and 1635.

to James's departure for London, Glencairn's rare attendance at meetings of the council were usually for a specific purpose, as in February 1601 when he brought a complaint or in March 1602 when the council met in Dumfries.⁴ A contrasting pattern of activity is provided by the 2nd and 3rd Lords Ochiltree, who were forced by financial embarrassment to pursue careers based at court and in the royal service, finally selling their Ayrshire estates to a cousin and removing their interests to Ireland. James employed the 3rd Lord to perform a variety of services, such as pacifying the noble petitioners following the riot of December 1596, as an agent in the west highlands and as a member of the 1609 commission anent the ravishing of women. Ochiltree also played a shadowy role in the feud between the 6th earl of Huntly and the earl of Moray. For the Stewarts of Ochiltree, their family, name and connections were more important than their traditional locality.⁵

A more typical picture of the average noble, if such a person exists, is given by the career of the 5th earl of Cassillis.⁶ The son of the so-called 'king of Carrick', Cassillis presided over an extensive regional earldom and kin network, some members of which rivalled the earl himself in terms of prestige and influence. The earl's main power base lay in his locality but, like all successful or aspiring magnates, he required to combine this with influence at court, occasionally overreaching himself in the process. In 1597 he made a remarkable marriage to Jean Fleming, widow of Chancellor John Maitland of Thirlestane, which excited the attention of the court as she was a woman 'of good years, not like to bear children'.⁷ It was largely as a result of this marriage that the earl entered into his brief and financially disastrous period as treasurer in 1599, when it was rumoured that James wished Cassillis to take the position so that 'his wives purse should be opened for her rose nobles'.⁸ During this period Cassillis has been described as a 'loyal magnate, a courtier and a working

⁴ *Scots Peerage*, iv, 243-4; *RPC*, 1st series, vi, 203-4, 355-8; viii, 815.

⁵ R. Zulager, 'A Study of the Middle Rank Administrators in the Government of King James VI of Scotland, 1580-1603' (Aberdeen University Ph.D. thesis, 1991), 169; K.M. Brown, *Bloodfeud in Scotland, 1573-1625: Violence, Justice and Politics in an Early Modern Society* (Edinburgh, 1986), 222, 156-9; *APS*, iv, 454, c. 48; *RPC*, 1st series, x, 334.

⁶ *Scots Peerage*, ii, 475-7.

⁷ British Library, Cotton MSS, Caligula, B. IV, fo. 244.

⁸ *CSPS*, xiii, pt I, 444.

privy councillor ... exactly the kind of nobleman James VI wished to encourage'.⁹ Following his unsuccessful attempt at advancing himself through office-holding, Cassillis returned to a more traditional pattern of concentrating on his local power base while balancing this with attendance at court.

The removal of the king to London had little immediate impact on the careers of men like Cassillis. Edinburgh remained for all practical purposes the centre of government and they continued to attend meetings of the privy council with more or less the same level of irregularity. There were a number of factors which might determine the reaction of provincial nobles to the departure of the king. The memory of the personal influence and authority of the monarch might remain strong enough to withstand his absence, at least in the short term. Equally the administration in Edinburgh might retain sufficient influence to counteract the king's absence. It is even possible that nobles whose primary interests lay in the locality might welcome absentee monarchy as giving them greater freedom of manoeuvre.

The Local Community

Territorial ambitions serve as a useful check on assumptions made about localities as family loyalties, local networks and personal aggrandisement tend to cut across any artificial boundaries placed on the local community. Local politics in north Ayrshire were dominated by the two magnate families, the Cunningham earls of Glencairn and the Montgomery earls of Eglinton, but were heavily influenced by important lesser nobles such as Lord Boyd of Kilmarnock. The earls of Eglinton also held lands in Renfrewshire and the earls of Glencairn lands in Renfrewshire and Dumbartonshire, while Lord Cathcart's estates were divided between Ayrshire and Renfrewshire. Several landowners held property across the region: the earl of Galloway, for example, purchased lands in Ayrshire in 1623, including the barony of Stewarton.¹⁰ Carrick was largely the province of the Kennedy family, headed by the earl of Cassillis, whose holdings extended south into Wigtownshire. According to one seventeenth-century observer¹¹

⁹ K.M. Brown, 'A house divided: family and feud in Carrick under John Kennedy, fifth earl of Cassillis', *SHR*, lxxv (1996), 181-5.

¹⁰ *RMS*, viii, 496.

¹¹ William Abercrummie, *A Description of Carrick*, in *MacFarlane's Geographical Collections*, ed. A. Mitchell, vol. ii (SHS, 1907), 6.

the great and almost only name amongst the gentrie [in Carrick] have been Kennedies, yet there be besyde them Boyds, Cathcarts, Fergussons and Moores that have been old possessors, but the laternames that enjoy some of the honourable seats of the Kennedies are Hamiltons that possessed Bargeny, Whitfoords that possesse Blairquhan and Crawfuird that have Ardmillan, yet the Kennedies continue still to be the most numerous and most powerful clan.

Further south and east the earldoms were all new creations of the early seventeenth century - Nithsdale in 1620, Galloway in 1623, Annandale in 1624, Dumfries in 1633 and Hartfell in 1643 - in an area which would otherwise exhibit an even more diverse pattern of lesser nobles and substantial lairds, the social divisions between whom were often blurred and not clearly defined.¹² Prominent among these were the Agnews of Lochnaw, hereditary sheriffs of Wigtownshire, the MacClellans of Bombie, created Lord Kirkcudbright in 1633, and the extensive network of the Gordon kindred, headed by Viscount Kenmure.

These patterns of magnate power and local landlordship were as diverse across the region as they were broadly typical of Scotland as a whole, providing little clue as to the genesis of radical politics beyond suggesting the existence of a sizeable corpus of substantial and influential lesser nobles and lairds. Here the comparison can be drawn between Dumfriesshire and Fife, another covenanting locality, which shows a similar trend towards local politics being in the hands of a number of families rather than dominated by one single line. It has been suggested that 'this distinctive pattern of landholding helped to give society in the western lowlands its independent religious views especially evident in the covenanting times'.¹³ Certainly, if one of Charles's stated aims behind his revocation of 1625 had been to benefit the lairds and make them dependent on no other authority than the king, this proved a manifest failure in

¹² For a discussion of the breadth of those who could be described as the Scottish nobility and the blurring of distinctions between different layers of the nobility see K.M. Brown, *Kingdom or Province? Scotland and the Regal Union, 1603-1715* (Basingstoke, 1992), 34-5 and M.M. Meikle, 'The Invisible Divide: the greater lairds and the nobility of Jacobean Scotland', *SHR*, lxxi (1992).

¹³ I.D. Whyte, *Scotland Before the Industrial Revolution: an Economic and Social History, c. 1050-1750* (Harlow, 1995), 156. Whyte contrasts the north-east and the borders, which were dominated by the great landowners, with Fife and central and western Scotland, which had a high number of lairds and owner-occupiers. He also makes the point that the issue is complicated by the fact that designations in Scotland were based upon the terms of tenure rather than social status (151).

the south-west where the lesser nobility and the lairds were among his most vocal opponents. The pattern of land holding had less importance in delivering Ayrshire for the covenanters as the overwhelming majority of the nobility adhered to the Covenants. It would, however, be crucial in Dumfries and Galloway where the leading nobility were virtually all royalists. If the views of the higher nobility only were taken into account, the western border would appear to be a royalist locality. It was the level of support for the covenanters in the social strata below the greater nobility that would ensure the covenanters' dominance of the south-west as a whole.

For nobles such as Cassillis national politics were important, but the immediacy of the local community remained compelling. Amongst other factors, the striking number of noble and lairdly residences found in relatively small burghs bear testimony to the continuity of local society. It is perhaps not surprising that many leading Ayrshire families maintained town houses in Ayr, including Cassillis, Kennedy of Bargany and another seven Kennedy families, as did Campbell of Loudoun and three other Campbell lairds. Nor is it surprising that there was a similar pattern in Irvine, where Eglinton, Glencairn and at least a dozen other Ayrshire lairds maintained residences.¹⁴ The small town of Maybole, however, boasted twenty-eight residences belonging to Carrick lairds, including the impressive townhouses of the earls of Cassillis and the Kennedys of Blairquhan. Most of these lay in ruins by the end of the seventeenth century, as attention turned away from the immediate locality to Ayr, or to Glasgow and Edinburgh.¹⁵ According to William Abercrummie's account Maybole had¹⁶

one principall street with houses on both sydes built of free stone and it is beautified with the situation of two castles one at each end of the street, one belonging to Cassillis and the other formerly to Kennedy of Blairquhan ... [along the Back Vennel] there have been many pretty buildings belonging to the severall gentry of the countrey who were wont to resort hither in winter and divert themselves in converse together at their owne houses ... It was once the principall street of the towne, but many of these houses of the Gentry being decayed and ruined, it has lost much of its ancient beautie.

¹⁴ J. Strawhorn, *The History of Ayr* (Edinburgh, 1985); 35; J. Strawhorn, *The History of Irvine* (Edinburgh, 1989), 18.

¹⁵ J. Gray, *Maybole, Carrick's Capital* (Ayr, 1973), 16.

¹⁶ Abercrummie, *Description of Carrick*, 17.

The pattern of urban development in the south-west was an indicator of both economic development and noble prestige. The majority of the leading families in the area obtained a grant of a burgh of barony in the sixteenth or seventeenth centuries - Kilmarnock for Lord Boyd in 1592, Langholm for Nithsdale in 1621, Stewarton for Lord Garlies in 1623 and Moniaive for the earl of Dumfries in 1636 - and maintained close links with towns in their sphere of influence. The grant of the right to found a burgh was an important element of royal patronage in the local community. In 1635 Grierson of Lag received a crown precept to erect his lands into the barony of Lag and to found a burgh of barony, which would later be known as Carsphairn.¹⁷ Although New Galloway was founded as a royal burgh, it remained very much the province of Viscount Kenmure. There was, however, friction between the established burghs and their newer counterparts and, in 1598, the convention of royal burghs forbade all free burghs and burgesses to recognise Maybole and Stranraer as they were encroaching upon the rights and privileges of Ayr and Wigtown.¹⁸ In 1599 the burgh of Ayr expended over 350 merks in legal and other expenses in connection with their plea 'against the unfre clachan of Maybole'.¹⁹ Ayr also felt that its liberties were being prejudiced by the activities of the burgh of Mauchline.

One of the most important means of administration in the locality was the one of which perhaps least is known, the barony and bailiary courts. 'In a sense a baron was a local government officer'.²⁰ In Carrick 'all the Inhabitants of the Countrey answer to this [the bailiary] Court both for civill debts and crymes'.²¹ As bailie principal of Carrick, the earl of Cassillis nominated Maybole as the head court of the bailiary in 1639, although some meetings continued to be held at the customary venue of Knockoshin, near Girvan.²² The bailie court dealt with a wide variety of business, in effect regulating the local community. In 1631, for example, the head court of the

¹⁷ *The Lag Charters, 1400-1720*, ed. A.L. Murray (SRS, 1958), 41.

¹⁸ E.P. Dennison Torrie & R. Coleman, *Historic Cumnock: the archaeological implications of development* (Scottish Burgh Survey, Aberdeen, 1995), 15; A.I. Dunlop (ed.), *The Royal Burgh of Ayr* (Edinburgh, 1953); 39-40.

¹⁹ *Ayr Burgh Accounts*, ed. G.S. Pryde (SHS, 1937), 196, 200.

²⁰ M.H.B. Sanderson, *Scottish Rural Society in the Sixteenth Century* (Edinburgh, 1982), 6.

²¹ Abercrommie, *Description of Carrick*, 16.

²² Gray, *Maybole*, 13. The court continued to meet at Knockoshin on key dates, e.g., the meetings which dealt with the resolution of debt discussed below took place at Christmas Day and Candlemas.

bailiary of Carrick dealt with the inheritance by an Ayrshire laird of a debt owed to one of his neighbours and the arrangements for repayment.²³

The Crown and the South-West

When James VI went south in 1603, relatively few key players from the locality were regularly involved in the royal administration and only three earls were based in the south-west, all in Ayrshire. One of James's policies which did, therefore, have a particular impact in the region was his creation of a number of new Scottish earldoms, a policy which was continued by his son. With the creation of five new earls in Dumfries and Galloway between 1606 and 1633, the picture would dramatically alter in the opening decades of the seventeenth century, largely as the result of a deliberate and planned royal policy. The Scottish peerage as a whole saw a major increase in the years after 1603: in the south-west, however, the increase was even more dramatic.²⁴

The first of James's creations in the south-west was John, 6th Lord Fleming, raised to the dignity of earl of Wigton in 1606. Although claiming descent from the fourteenth-century earls of Wigton, his family had few direct links with the area; of more importance to James was its history of conspicuous loyalty to the crown.²⁵ Wigton was active in the king's service, undertaking many special commissions in addition to his appointment to the privy council and to the court of high commission.²⁶ His interests, however, were almost wholly located outwith the south-west, as were those of James's final creation in the locality, John Murray, earl of Annandale, a classic example of the consummate London-Scottish courtier. Murray, the second son of a Dumfriesshire laird, owed his advancement to a long and successful career in the king's household. He held substantial properties in the south-west and elsewhere, but his keen interest in Scottish affairs was expressed primarily

²³ NAS, Bannan and Finnart Muniments, GD60/49 & 50.

²⁴ Brown, *Kingdom or Province*, 35. The increase in the Scottish peerage between 1603-25 was 51% and between 1625-49 it was 38%.

²⁵ A draft document in favour of John, earl of Wigton, of a grant of lands in Galloway which had belonged to Malcolm, earl of Wigton, given to him by David II, was prepared for signature by James VI but never passed, *Charter Chest of the Earldom of Wigtown, 1214-1681*, ed. F.J. Grant (SRS, 1910), 24.

²⁶ *Scots Peerage*, viii, 545-6. Wigton's seat was at Cumbernauld, the area in which his power base lay.

within the context of his role as a conduit between the court and his extensive network of Scottish correspondents.²⁷

While both Wigton and Annandale can be seen as being intruded upon the region, the limited nature of their involvement in local affairs neutralised any negative impact created by their ennoblement. However, possibly the most interesting of James's creations, Robert, 10th Lord Maxwell, created earl of Nithsdale in 1620, successfully combined a career at court with influence in his locality. After the execution and forfeiture of his brother in 1612, Nithsdale saw that the key to preferment lay in favour at court. Following his rehabilitation in 1617, Nithsdale proved astonishingly successful at rapidly retrieving most of the forfeited lands as part of a long career of loyal and lucrative service to the crown.²⁸ This was partly because of the status of those who had benefited from Maxwell's forfeiture and the fact that many were willing to relinquish property, given that Maxwell was so obviously in the king's favour. As early as 1613, Sir Gideon Murray wrote to the future earl of Annandale concerning the rumour that Maxwell was to be restored to his brother's estates because 'thair are some thingis I possess out of it which the Kingis Majestie had gevin me', which he was willing to give up in return for compensation.²⁹ The fourth of James's creations was Alexander Stewart of Garlies, created earl of Galloway in 1623.

In one sense these ennoblements were not surprising. They were not made at the expense of existing magnates: James was acting to redress a gap in the ranks of the higher nobility in the region, as well as to reward loyal service and ensure future loyalty in the region. It was largely a historical and geographical accident that, in the first decades of the seventeenth century, so many families in the west borders were looking for advancement and saw the king's personal favour as the key to

²⁷ *Scots Peerage*, i, 226.

²⁸ *Scots Peerage*, vi, 485-6; Nithsdale was successful in recovering much of the property but did not regain all of it. The lands of Capenoch were gifted to Grierson of Lag and descended through his family, *The Lag Charters, 1400-1720*, ed. A.L. Murray (SRS, 1958), 4.

²⁹ HMC, *Report of the Laing Manuscripts preserved in the University of Edinburgh*, 2 vols. (London, 1914), i, 129-30. The dispersal of Nithsdale's estate was in contrast to the destination of another noble estate, whose restitution was repeatedly rumoured in the 1630s, that of the earl of Bothwell, from which Buccleuch, for example, had greatly benefited and was disinclined to give up the lands gained.

preferment. James took full advantage of this. What is surprising is the extent to which families like the Maxwells which - unlike that of Wigton - were not noted for their history of peaceful co-operation with the crown, had become so successful, so loyal to the crown and so involved in government, virtually overnight. After 1606 James overwhelmingly used his new men to represent the south-west, as members of the privy council and on the court of high commission. One sphere in which James employed his newly created nobles was in establishing firm control over the institutions of the church. Of the sixteen peers whom James appointed as commissioners to the general assemblies of 1606, 1608 and 1610, seven had been elevated since 1603. 'Using these new nobles alongside, and in slightly greater numbers than, their older colleagues can be seen as part of a broader crown policy which attempted to increase central control of power and has been described as "absolutist"'.³⁰ There is a definite parallel here between the western and eastern borders, where James similarly elevated and employed the Kerr earls of Roxburgh and Lothian and the great success story of the seventeenth-century peerage, Scott of Buccleuch. It was not so much that James's new creations alienated an existing nobility in the south-west, but that his use of his new nobles militated against the successful involvement of other magnates in royal government. James did not make equally sure of the loyalty of his established nobility.

That the potential for discord in the south-west long predated the accession of Charles I is suggested by the correlation between the voting patterns in the south-west on the Five Articles of Perth in the 1621 parliament and the future composition of the royalist and covenanting parties in the locality. At first glance, the voting patterns in 1621 seem curious for an area which, from its later record, would seem disinclined to favour liturgical change. In practice, the parliament of 1621 illustrated the political faultlines already present in the locality. Eglinton and Cathcart voted against the Articles; Boyd, Wigton, Dumfries and Galloway for them. The burghs of Wigtown, Annan and Sanquhar, associated with nobles in the king's favour, voted for the Five Articles; as did Dumfries, represented in 1621 by John Corsan, the father of the John Corsan who was cited for assisting Montrose in his capture of the burgh in 1644. Irvine, Ayr and Kirkcudbright voted against the Articles. Amongst the commissioners for the shires the distribution of votes was equally telling. The commissioners for Ayrshire dissented from the Five Articles. The commissioners

³⁰ A.R. MacDonald, 'Ecclesiastical Politics in Scotland, 1586-1610' (Edinburgh University Ph.D. thesis, 1995), 45.

from Dumfriesshire and Wigtownshire voted for the Articles, represented in 1621 by the lairds of Amisfield and Lag, both from future royalist families.³¹ The 1st Lord Kirkcudbright voted for the Articles, the covenanting 2nd and 3rd lords were his nephews who took the family allegiances in a very different direction to that of their uncle. Thus the geographical pattern of opposition to the Five Articles in the parliament of 1621 anticipated the future distribution of radical opposition to Charles I in the 1620s and 30s. It also suggests the extent to which support for royal policies and the opportunity for personal advancement were clearly linked.

Similar policies with respect to the nobility were pursued by Charles I. William Crichton, 9th Lord Sanquhar, created Viscount Ayr by James in 1622 in return for his support in the parliament of 1621, was, like Nithsdale, the heir of an executed and forfeited predecessor. Charles I further elevated him as earl of Dumfries in 1633. It was the careers of men like Dumfries which led the king's opponents to claim that in 1633 the 'assenters for the most part were Noblemen ... some noblemen who had no other means whereby to recover their ruinous estates; sundry Lords and Viscounts seeking to be created Earles ... Some of them had promises made to them before, to be dignified with the titles of Earles, but were delayed till after the parliament'.³² Sir John Gordon of Lochinvar was created Viscount Kenmure in 1633 and was present at the opening of the 1633 parliament but left, pleading illness. He is reported to have said that he did so 'for fear of incurring the indignation of my Prince, and the loss of farther honour, which I certainly expected'. Kenmure, who had close links with the presbyterian ministry and was married to the sister of the Marquess of Argyll, was caught between his allegiance to his religious principles and his desire for political advancement. On his deathbed he was reported to have lamented his 'not having courage to glorify God by his presence when His cause was in hand, [and] deserted the Parliament under pretence that his body was sick'.³³

³¹ To avoid unnecessary confusion this discussion has been framed in terms of the titles families would hold in the 1640s as several of the commissioners in 1621 would later receive advancement. The lists of those voting are in Calderwood, *History*, vii, 498-501. For a detailed discussion of the 1621 Parliament see J. Goodare, 'The Scottish parliament of 1621', *Historical Journal*, xxxvii (1995).

³² William Scot, *An Apologetical Narration of the State and Government of the Kirk of Scotland since the Reformation* (Wodrow Society, 1846), 339.

³³ *The Last and Heavenly Speeches of Viscount Kenmure in Select Biographies*, i, ed. W. Tweedie (Wodrow Society, 1845-7), 374-5; *Scots Peerage*, v, 119.

James had reconstructed his privy council in 1610, restricting its membership to thirty-five, including the earls of Cassillis, Wigton and Glencairn.³⁴ Charles further reformed his privy council in 1626, the membership of which drawn from the south-west was dominated by the new nobility - Glencairn, Nithsdale, Wigton, Annandale and Viscount Ayr.³⁵ The preference for newly created nobles was seen even more starkly in the membership of the new executive institutions inaugurated by Charles in 1626. Nithsdale, Annandale and Viscount Ayr were the only members from the south-west on the commission for grievances and the commission of the exchequer.³⁶ As the intentions behind these institutions were already viewed with some suspicion by Charles's Scottish subjects, their composition would only have reinforced these fears. It was the commission for grievances that Balfour claimed was feared to be the equivalent of the English court of Star Chamber 'come doune heir to play the tyrant'.³⁷ It was feared that these would be the instruments of absolutist government and they were to be staffed by a small caucus of nobles beholden to and loyal to the crown.

The patterns of ennoblement and the trend to restrict office holding to a select group of nobles had serious implications for the successful creation of a royalist party come 1637. Nobles such as Annandale and, in particular, Nithsdale were largely absentees who, by gaining influence at court and in the royal service, sacrificed some of their influence in the locality.³⁸ As earl of Nithsdale, Robert Maxwell (his impressive taste in architecture aside) was unable to command the same local prestige his predecessors had enjoyed as Lords Maxwell. The use of these nobles in government led to their being tainted by association with unpopular royal policies. Although personally advantageous, Nithsdale's appointment as the collector of taxation in 1625 made him a target for those discontented at the level of taxation, served to exacerbate pre-existing tensions and added an additional element to the resentment that some already felt at the prominence of the royal favourite.³⁹ By 1637 membership of the privy council was a less attractive proposition for nobles such as Wigton, as it resulted in their being associated with the efforts to enforce obedience to the service book.

³⁴ *RPC*, 1st series, viii, pp. xii-iii.

³⁵ *RPC*, 2nd series, i, p. vii.

³⁶ *RPC*, 2nd series, i, 248-52; 263-7.

³⁷ Balfour, *Works*, ii, 131.

³⁸ Brown, 'Courtiers and Cavaliers', 182.

³⁹ NAS, Glencairn Muniments, GD39/1/234.

Crown policy was, however, significantly different in orientation when it came to office holding within the local community and was based on pragmatism rather than the monarch's preference. One possible source of friction lay in the appointment of justices of the peace from 1609-10.⁴⁰ A potentially novel element of the justice system was the opportunity it gave for minor lairds to hold office - an opportunity they were able to exploit largely because of the lack of interest in these appointments. It has been argued that 'the lairds were the backbone of an expanding system of local government'.⁴¹ It is true that few noblemen would have wished to concern themselves with matters such as the regulation of ferry prices between the south-west and Ulster and, in practice, those below the ranks of the higher nobility were often the most active justices.⁴² However, while there may indeed have been little enthusiasm for the office of justice among the nobility, the lists of those appointed reflected the existing leadership of society: no other formula would have given the new office any chance of success. The nominations for justice put forward in 1634 were broadly similar to James's first list of 1610 and differed only in that they included an even wider cross-section of the local community.⁴³ The same was true of those responsible for the valuation of teinds in the south-west. The higher nobility were nominated to receive the teind submissions: Galloway and Nithsdale in the sheriffdoms of Wigtown and Dumfries respectively and, equally predictably, Loudoun, Eglinton and Cassillis for Kyle, Cunningham and Carrick. The commissioners for the valuation of teinds were all lairds of substance and standing, for example, Gordon of Lochinvar and Fullarton of Carleton in Kirkcudbrightshire and Agnew of Lochnaw and McDowall of Garthland in Wigtownshire.⁴⁴

Jurisdictional confrontations which were alleged to have been caused by the new office were often merely old problems in a new guise. David Calderwood recalled an apparent case of jurisdictional friction in which Cassillis and a Fife laird appeared

⁴⁰ No records survive from this period of the work of the JPs. Lists of those nominated to serve can be found in *RPC*, but the lack of court records make it difficult to know who was actually active as a JP. An impressionistic picture of the range of activities undertaken by the JPs can be obtained from references to their work, particularly in the records of the privy council.

⁴¹ Meikle, 'Invisible Divide', 71.

⁴² *RPC*, 1st series, ix, 478.

⁴³ *RPC*, 1st series, ix, 77-8; *RPC*, 2nd series, v, 424-30.

⁴⁴ *RPC*, 2nd series, ii, 245-8.

before the privy council in 1612 accused of abuses in the conduct of their offices as JPs, and were offended 'because they perceived the council and noblemen crossed them in the execution of their office'. For their part, the noblemen on the council 'thought that this new office impaired their credite and freindship in the countrie'. This, however, was not a case of conflict between an upstart JP and established royal councillors; Cassillis was entitled to sit on the privy council and most of the councillors were themselves JPs. Further, the only case involving Cassillis brought before the council that year was an action by George Corrie of Kelwood, accusing the earl of forcing him from his bed at eight o'clock in the morning and imprisoning him for ten days. This might seem like a classic example of the abuse of power by a justice, but there is no indication that Cassillis was acting explicitly in the context of his position as JP, while Corrie of Kelwood himself appears on the list of JPs for Ayrshire in 1616.⁴⁵ In fact this was nothing more than old-fashioned local violence, perhaps camouflaged by the title of JP.

Were the policies of Charles I necessarily any more obnoxious to the inhabitants of the south-west than to those of any other part of his kingdom? One of Charles's actions which engendered suspicion and insecurity among his subjects was his unpopular act of revocation of 1625, which had the potential to materially affect those holding lands gifted by the crown in the south-west, as elsewhere in Scotland. Several families in Dumfries and Galloway held former ecclesiastical properties by virtue of the number of pre-reformation religious houses along the Solway Firth; similarly in Ayrshire, where Loudoun, for example, held the ecclesiastical barony of Kylesmuir, formerly belonging to Melrose Abbey. Arguably the holders of these lands could have felt alienated by the threat of losing their property under the terms of Charles's revocation, although the holding of former ecclesiastical lands was no more widespread in the south-west than elsewhere in Scotland. Furthermore, many of these properties had previously been set aside by James VI for the support of the bishopric of Galloway, while Holywood and Dundrennan had already been erected into temporal lordships for John Murray, earl of Annandale, a royal favourite and one of Charles's staunchest supporters. Paradoxically, it was perhaps where Charles's ecclesiastical policies were most successful that they facilitated the growth of opposition: his zeal for the temporalities of the church, the augmentation of stipends and the increasingly successful prosecution of commissions to heritors to build and

⁴⁵ David Calderwood, *History of the Church of Scotland*, ed. T. Thomson, 8 vols. (Wodrow Society, 1842-9), vii, 178; *RPC*, 1st series, x, 25, 619.

repair parish churches, created attractive charges that would draw and support well educated and ambitious ministers.⁴⁶

Another element of property holding threatened by the revocation was the king's desire to buy back heritable offices. This concept did not originate with Charles. In 1614 the earl of Cassillis had offered to surrender the bailiary of Carrick, which he discussed with Archbishop Spottiswoode, one of a group who 'concludit to deal with the heritable Schireffis as we suld have occasion severally, each of us misknowing others for the more secrecy'.⁴⁷ Campbell of Loudoun entered into lengthy negotiations which were finally concluded in 1630. Loudoun agreed to surrender his heritable sheriffship of Ayr for 14,000 merks, which was to be paid in ten instalments. His rights of regality over the ecclesiastical barony of Kylesmuir, which had been erected from the Ayrshire lands which had belonged to Melrose Abbey, were downgraded to a barony. His superiorities were valued but not, however, surrendered as the crown lacked the cash to buy them.⁴⁸ The length of time which these negotiations took, and the crown's lack of adequate resources to fully implement them, underline the extent to which the surrender of all heritable jurisdictions was an unrealisable goal.

Another of Charles's stated aims in 1625 was 'that every proprietor of lands might have hes awn tythes upon a reasonable condition'.⁴⁹ While teind valuation could be perceived as an intrusive measure, it was welcomed in some quarters. The turbulent relationship between the earls of Cassillis and the Agnews of Lochnaw, hereditary sheriffs of Wigtownshire, is a good example of the tensions which existed in the local community due to overlapping jurisdictions, particularly within the parishes of Inch and Leswalt in Wigtownshire. Cassillis was the superior and Lochnaw was, therefore, subject to his head courts; Agnew of Lochnaw was in possession of the

⁴⁶ A.I. Macinnes, *Charles I and the Making of the Covenanting Movement, 1625-41* (Edinburgh, 1991), 53; I. Cowan & D. Easson, *Medieval Religious Houses in Scotland* (London, 1976), 63-4, 74-5, 81, 102-3. The one potentially threatening exception was Charles's allocation of the revenues of New Abbey in Galloway to support his new bishopric of Edinburgh in 1633, W. Makey, 'Presbyterian and Canterbury in the Scottish Revolution', in N. Macdougall (ed.), *Church, Politics and Society, Scotland 1408-1929* (Edinburgh, 1983), 161-2.

⁴⁷ *Ecclesiastical Letters*, ii, 351.

⁴⁸ William Purves, *Revenues of the Scottish Crown, 1681*, ed. D. Murray Rose (Edinburgh, 1897), 50-3, 67; Macinnes, *Covenanting Movement*, 68.

⁴⁹ Balfour, *Works*, ii, 156.

lands and, as sheriff of Wigtownshire, Cassillis was subject to his jurisdiction.⁵⁰ The blurring of these jurisdictional lines were highlighted in the course of a dispute between the earl and Lochnaw in 1628: Cassillis petitioned the privy council for relief from the jurisdiction of Patrick Agnew as sheriff as they were then in dispute,⁵¹ while Agnew complained to the king that men such as himself could be vindictively summoned to head courts.⁵² These problems came to a head with a dispute over teinds. Cassillis was the tacksman of the teinds of the bishopric of Galloway and entered into a disagreement with Lochnaw over the terms on which teinds should be ingathered from Lochnaw's lands.⁵³ The sheriff argued that Cassillis should accept agreements previously entered into relating to teind payments and complained that the 'Earl was but a tacksman interposed betwixt the Bishop and himself, contrary to the spirit of the Royal Proclamation for the surrender of all tythes to the King'.⁵⁴ In the context of a situation such as this, the teind commissions could be viewed as a method of regularising pre-existing tensions within the local community.

The Covenanters and the South-West

It was in some ways ironic that a rebellion which had objections to intrusive royal policy and high taxation high on its list of original grievances would itself result in a high tax regime, with highly developed methods of tax collection, as well as a complex bureaucracy at both central and local levels. The covenanting administration desired to harness the energies of local society in a similar fashion to its regal predecessors. In 1642 the English parliament sought to establish a postal service between Edinburgh and Portpatrick, Portpatrick and Carlisle. The matter was placed into the hands of a Dumfries burgess as he had the local knowledge to decide upon the appropriate stages and suggest reliable postal agents. The mechanisms to wage a successful war were being extended into the locality and local connections used to implement the strategy.⁵⁵ The major development of the covenanting years with respect to the local community was, of course, the establishment of the shire

⁵⁰ NAS, Agnew of Lochnaw Muniments, GD154/82, 95, 99-101, 106, 110; *RMS*, ix, 462; *Scots Peerage*, ii, 470.

⁵¹ NAS, Agnew of Lochnaw Muniments, GD154/544, *RPC*, 2nd series, iii, 344-5.

⁵² A. Agnew, *The Hereditary Sheriffs of Galloway*, 2 vols. (Edinburgh, 1893), ii, 469.

⁵³ Agnew, *Hereditary Sheriffs*, ii, 466-7.

⁵⁴ Agnew, *Hereditary Sheriffs*, ii, 469.

⁵⁵ *RPC*, 2nd series, vii, 328.

committees of war. The local committees had a wide remit, which expanded from their initial function of overseeing the raising of money and troops for the covenanting wars to encompass a wide range of responsibilities, including the punishment of malignants in the locality.

The Kirkcudbright shire committee of war, whose records survive for 1640 and 1641, met with some regularity.⁵⁶ It met five times in July 1640, the key period for levying the Kirkcudbrightshire regiments for the Second Bishops' War, on the 6th, 13th, 18th, 24th and 25th of July. The committee met throughout Kirkcudbrightshire: at Laurieston in the centre of the Stewartry, at Dumfries, Kirkcudbright, Milntown of Urr and Threave. The main business of the committee was prosecuting the war, levying men, horse and equipping and paying them. This process involved the committee in a variety of roles: including taking action against non-covenanters, lifting their rents and securing their goods in lieu of payment; collecting taxation; borrowing money; collecting gold and silver ornaments and assessing rentals, valuations and teinds. By December 1640, the full complement of infantry and cavalry for Lord Kirkcudbright's regiments, one of foot and one of horse, had been raised, except for nine horse.⁵⁷

The committee's primary duty of collecting finance and manpower for the covenanting armies could lead them into a more intrusive role in the local community. The committee, for example, ordered that the estates and rents of opponents of the Covenants who were absent from Scotland could be uplifted and used for public purposes.⁵⁸ In July 1640 the committee ordained that the minister and two men of some standing nominated by each parish should come before the committee and present the parish valuations, upon which basis the levies for troops and horse would be imposed.⁵⁹ In some cases the committee's actions were a direct consequence of the events of the times., e.g., William MacClellan of Barscobe's petition to be allowed to buy the stones from Threave Castle, which had been held for

⁵⁶ For a discussion of the committee's membership, see chapter six below.

⁵⁷ E. Furgol, *A Regimental History of the Covenanting Armies, 1639-1651* (Edinburgh, 1990), 56.

⁵⁸ *Kirkcudbright Minute Book*, 133.

⁵⁹ *Kirkcudbright Minute Book*, 18.

the king by Nithsdale and partially demolished during the Bishops' wars, was approved by the committee in 1641.⁶⁰

The committee also took on a role which had little to do with prosecuting the war and much to do with settling disputes and dealing with issues in the locality. The committee accepted Gordon of Earlstoun's petition that 200 or 300 merks might be lent to a distressed brother of the ministry by one who had money to lend.⁶¹ In December 1640 the committee noted that, by a warrant sent to them by the committee of estates, they were empowered to adjudicate on civil affairs and that parties in dispute could come before them.⁶² In September 1640 the committee had ordered that the remainder of the cost of two oxen bought from George Glendinning, a member of the committee of war, about fourteen years ago should be paid to him and that the captain of the parish should see that this was done.⁶³ Later that month, Hugh Henderson, the minister of Dalry, presented a supplication to the committee, claiming that his stipend had not been paid for eighteen months and that the money promised to him by his parishioners for building a house had not been forthcoming. The committee ordered that the stipend arrears be paid and that the bond in which money for building a house had been promised should be honoured. More significantly, the captain of the parish of Dalry was to ensure that Henderson was paid in full and, if need be, to seize livestock to the value of the debt.⁶⁴ Here was a clear case of the mechanisms of the covenanting movement in the locality being utilised for purely civil issues.

The lack of records for the meetings of JPs and of other local courts, indeed of other shire committees of war, makes generalisations difficult. The Stewartry of Kirkcudbright may well have had a particularly active and well organised committee, which met in a strongly covenanting area and was led by a caucus of lairds committed to the covenanting cause. Other committees may not have been so zealous, nor so able to enforce their remit over the local community. It is, however, unlikely that the Kirkcudbright committee was unique and that similar activities were not undertaken by, for example, the committee for Ayrshire. Links between the

⁶⁰ *Kirkcudbright Minute Book*, 67.

⁶¹ *Kirkcudbright Minute Book*, 34.

⁶² *Kirkcudbright Minute Book*, 114-15.

⁶³ *Kirkcudbright Minute Book*, 43.

⁶⁴ *Kirkcudbright Minute Book*, 136-7.

committees were also envisaged. On the 25th of July 1640 the committee for Kirkcudbrightshire chose three commissioners to meet with the commissioners for Annandale and Nithsdale.⁶⁵ What is clear is that the committees of war and their associated institutions were intended to be, and in the case of Kirkcudbrightshire managed to be, an effective instrument of local organisation, linked to the central covenanting administration, that would have been beyond the wildest dreams of James VI or Charles I.

The membership of the shire committees in the south-west bore a striking similarity to the lists of those nominated as justices of the peace under James and Charles. There was good reason for this. Just as the crown had had to use those individuals who were influential in the local community to achieve its goals, the covenanting regime had to employ precisely the same people to deliver its agenda. The similarity of the personnel used in local administration in the early years of the covenanting administration with those previously utilised by the crown underlines the extent to which the covenanters initially drew on a wide cross-section of the community. It was only after 1644 and the success of Montrose's military campaign, the first serious royalist counter-response, that the administration began to purge its ranks and, equally significantly, that the more committed covenanters achieved sufficient political power to assert their dominance. It was, for example, not until 1644 that the earl of Nithsdale was finally removed from his position as steward of Kirkcudbright and replaced by the 2nd Lord Kirkcudbright.⁶⁶ This can be seen most clearly in the composition of the shire committee of war for Nithsdale and Annandale, the region of the south-west with the highest proportion of royalist sympathisers. The membership of the committee in 1644 included Annandale, Hartfell and Charteris of Amisfield, all of whom would later associate themselves with Montrose.⁶⁷ The list of those nominated to serve on the committee of war for Wigtownshire in 1644 included a prominent royalist, the earl of Galloway, and his son.⁶⁸

⁶⁵ *Kirkcudbright Minute Book*, 19.

⁶⁶ *APS*, vi, pt i, 210.

⁶⁷ *APS*, vi, pt i, 133.

⁶⁸ *APS*, vi, pt i, 132.

Conclusion

The mechanisms of local co-operation in the reigns of James VI and Charles I remained grounded in personal contacts, networks and that near-impossible quality to define, influence - often styled 'credit' - which might or might not coincide with jurisdiction. At least initially, the newly appointed justices of the peace operated within the confines of this informal system. Although in many ways the covenanting administration has been seen as highly centralised, it was so successful largely because it was able to harness the energies of the local community. Bodies such as barony and bailie courts did play a role in resolving issues at a local level but were firmly grounded within local society rather than a structure imposed upon it. Did, for example, the earl of Cassillis have status because he was the bailie principal of Carrick, or did he hold the post because of his pre-existing status as the premier magnate in the region? In fact such appointments were important to the earl, confirming and enhancing his status; for anyone else to hold such a post in his area of influence would have undermined his authority. Possible scenarios for the relationships between centre and locality must, therefore, reflect the realities of what was possible. A strongly interventionist approach to local politics would lead to disaster. The king and his primary agents in the locality - the greater and lesser nobility - were facing a shifting situation in which neither side was precisely sure of the role which was expected of them. This was, in a sense, a no-win situation for all but the most territorially secure or the most politically astute. As a result of the intensely personal nature of relationships, both in the local community and between centre and locality, the potential for tension or political dislocation was considerable.

How successful was James VI in his dealings with the local community? This is one area of James's reign where it is perhaps feasible to argue that the king took a balanced approach in his policies. While James was certainly intrusive, he worked within the framework of local politics and was careful not to interfere with the existing mechanisms of power, at least with regard to the nobility. The lists for the appointment of JPs, for example, precisely mirrored the existing elite structures. Nowhere is this conservatism more clearly seen than in what was potentially one of the most destabilising policies, the inflation of the peerage after 1603. None of James's new creations rivalled the long established nobility of Ayrshire: all served to fill the power vacuum among the greater nobility along the western border and the majority came from powerful and well-established local families. Their relevance lies rather in the circumstances surrounding these elevations and in the way in which

James used his newly-created earls. Significantly James did not elevate lords and lesser nobles of a similar standing in, for example, the north-east where this could have alienated the existing magnates.

The developing faultlines in the relationship between the king and the south-west were, however, already apparent in the interaction between James and the burgh of Ayr, in his dealings with the church in the locality,⁶⁹ and in his inability to integrate long-established nobles with a strong local power base effectively into his government. In the last analysis it was perhaps what James *failed* to do which proved most significant. While there was in James's reign no immediate conflict between, for example, old and new nobles, or courtiers and locality-based nobles, he proved unable to arrest the growing rift between the two spheres caused by the changing nature of power and the absence of the king. Whether any monarch could have done so is a moot point and, at least in the short term, James's policies made good political sense. An apt motto for James's reign might well be 'new problems, short-term solutions'; James shelved problems rather than solving them. However, given the complexity of local relationships and the level of vested interest involved, maintaining political stability for so long was in itself no mean feat.

As the areas in which James's policy *vis-à-vis* the local community can be measured - relations with the nobility, the church and interference with the mechanisms of local society - are traditionally the areas in which the government of Charles I has been found deficient, comparison between the policies of the two monarchs is unavoidable. There are a number of possible verdicts - that Charles took a radically different approach to government, or that the difference was simply one of degree - but, with regard to the south-west, the key word would seem to be *development*. Many of the issues relevant to the reign of Charles I stemmed directly from the precedents already set by James and the reactions to his initiatives. The policies of Charles show a clear continuity with those of James. Charles continued and extended the pattern of creating earldoms along the western border, while using first- and second- generation earls such as Wigton and Nithsdale as agents of royal government. The idea of buying up heritable offices did not originate with Charles. Nor did the trend to restrict membership of bodies such as the privy council. Apologists for James credit him with having the political sense not to enforce an unpopular piece of legislation, such as the Five Articles of Perth, in contrast to his

⁶⁹ See chapter four below.

more headstrong son Charles. The same could, however, be said of Charles's conciliatory instructions issued relative to the enforcement of the Five Articles in 1626. Having established the principle behind his wide-ranging and deeply unpopular revocation of 1625, Charles never attempted to employ the full implications of his act. Similarly, it is perhaps surprising that the equally autocratic and uncompromisingly episcopalian reign of Charles saw far fewer set-piece confrontations with the church, at least in its first decade. In this, as in other areas, Charles quite simply did not have to act - James had already done it. It was not until Charles tried to escalate the process of liturgical change that major conflict ensued.

CHAPTER FOUR

The Religion of South-West Scotland

An episcopalian minister in Ayrshire towards the end of the seventeenth century complained, with some disgust, of his parishioners and neighbours that¹

Their ease and plenty disposes them to be unruly and turbulent, so that the servants are Insolent, and all of them are but uneasy subjects so that in the late tymes Carrick hath been a sanctuary or rather a nurseries of Rogues, bearing arms against authority upon pretext of Religion.

As the opposition to Charles I in Scotland expressed itself primarily via the rhetoric of religious dissent, the nature of the church in the south-west and the response to royal policies in the region are crucial contexts for assessing the origins of the south-west's involvement in the covenanting movement. At the centre of the local religious community was the key agent of the reformed church in the regions: the parish and its minister.

Parishes and Ministers

The Scottish Reformation of 1560 replaced the pre-Reformation church with a new Protestant church, whose aim was to supplant the Catholic faith and provide a representative of the reformed religion in every parish. The achievement of this goal would, however, be the work of decades. The reformation in Ayrshire proved relatively successful, most parishes being filled by the 1580s at the latest.² By contrast, many of the parishes along the western border remained vacant until the seventeenth century. Several parishes in the presbytery of Annan, for example, did not establish a permanent ministry until well into the seventeenth century.³ The key

¹ William Abercrommie, *A Description of Carrick*, in *MacFarlane's Geographical Collections*, ed. A. Mitchell, vol. ii (SHS, 1907), 7.

² A revised list of ministers in Ayrshire is in M.H.B. Sanderson, *Ayrshire and the Reformation: people and change, 1490-1600* (East Linton, 1997), 158-79.

³ As at Annan, Dornock, Hoddum, Ecclefechan and Luce, Middlebie and Ruthwell. See Scott, *Fasti*, ii, *passim*; M. Lynch, 'Preaching to the converted? Perspectives on the Scottish Reformation', in A.A. MacDonald *et al.* (eds.), *The Renaissance in Scotland* (Leiden, 1994), 309, 333, 338. It has often been observed that it was not

issue here was not patronage but finance - the more prosperous presbytery of Dumfries, where the influence of the pro-Catholic Maxwells was strongest, was if anything filled faster. Few of the less affluent parishes could afford to provide a suitable building for worship or a stipend sufficient to sustain a minister. Thus the parliament of 1609 passed an 'Act for Uniting Certain Kirkis in Annandale' affecting a total of twenty-three parishes, and recognised that the burgh of Annan was 'miserable impoverisheit sa as they are not able to build ane kirk to them selffis'.⁴ These were the kind of parishes which attracted the attention of the commissioners for the augmentation of stipends: in 1618 the stipend of the parish of Anwoth, near Kirkcudbright, was raised from 163 merks to 520 merks.⁵ While the Reformation was longer in taking effect in some areas of the south-west, reformed service when it did come was provided by younger, more partisan men whose agenda had been honed by the lessons of the preceding years. The first incumbent of the newly financially independent parish of Anwoth, disjoined from its neighbour in 1627, was Samuel Rutherford, one of the most outspoken critics of Charles I.

Few rural parishes in Dumfries and Galloway were wealthy. In 1639 the presbyteries of Middlebie, Lochmaben and Penpont had total rentals worth less than two-thirds of those of rural eastern lowland presbyteries such as Chirnside, Earlston and Kelso. Most parishes in Annandale and Eskdale had rentals equivalent to parishes in Ross and Sutherland such as Tain, Dornoch and Lairg.⁶ This more than any other single factor explains the slow progress of the Reformation in the west borders and why its reformation took such a distinctive shape. In 1574 there was only one minister and a reader for the thirty-eight designated parishes of Annandale and Eskdale. The readers' stipends specified, on average around £6 Scots, compare badly with stipends of around £16 in Ross.⁷ Therefore it is not surprising that, when there was still a shortage of reformed clergy, few were willing, indeed would have found it financially viable, to minister in such a region. Several of the surviving records relating to the augmentations of stipends under James VI and Charles I refer to the south west and

until the seventeenth century that every parish in lowland Scotland had a settled ministry, a situation which was largely created by the problems in establishing the parish ministry in the border region, including Dumfries and Galloway.

⁴ *APS*, iv, 441, c. 23, 24.

⁵ W.R. Foster, *The Church Before the Covenants, 1596-1638* (Edinburgh, 1975), 162.

⁶ British Library, Add MSS 33, 262.

⁷ *Wodrow Miscellany*, i (Wodrow Society, 1845), pp. 388-9, 334-6.

frequent commissions by the kirk, and by the king to local lairds, testify to the ongoing problem of financing the parish ministry in the south-west well into the seventeenth century.⁸

In some parishes, even if there had been a minister, there was either no church building, an inadequate pre-reformation building or a building inaccessible to large numbers of the parishioners. The parishes of Kirkpatrick-Fleming and Kirkconnell were among those united by act of parliament in 1609. The site of the new church was to be at Kirkconnell - 'Today this seems odd for the site at Kirkconnell is one of the least accessible; but in 1609 all parts of the parish were inaccessible'.⁹ The parish of Carsphairn, 'which church lyes in a very desolate wilderness', petitioned the 1638 general assembly for financial assistance. Their appeal was supported by the earl of Cassillis, who commented that 'their case is verie considerable and deserves helpe. The case of their soules is verie dangerous, being 15 or 16 myles from a church; and now, since God has given them the benefite of a kirk, I think a verie little helpe of the presbyteries of the kingdome would give them a competant means for a minister'.¹⁰

The size of some parishes in the south-west was impracticable, not in terms of population - the communicant membership of many parishes in the south-west was around 500 souls, average for a Scottish parish of the period - but in terms of geography.¹¹ Thus the parish of Kilmarnock was divided in 1641 by the creation of New Kilmarnock and the erection of a new church building there.¹² Nor were all of the available buildings adequate for their purpose. In 1648 it was recommended that the united parishes of Dalgarno and Closeburn, with around 630 communicants, should be divided as 'none of the fabrickis of the tuo churches cann accomodat the whole number of both paroches without enlargement'.¹³

⁸ See, e.g., W. Fraser, (ed.), *The Annandale Family Book of the Johnstones*, 2 vols. (Edinburgh, 1894), i, 71-2; W. Makey, *The Church of the Covenant, 1637-1651: Revolution and Social Change in Scotland* (Edinburgh, 1979), 204.

⁹ R. Mercer *et al*, *Kirkpatrick Fleming, Dumfriesshire: an Anatomy of a Parish in South-West Scotland* (DGNHAS, Dumfries, 1997), 82.

¹⁰ *Records of the Kirk of Scotland*, ed. A. Peterkin, 2 vols. (Edinburgh, 1838), i, 184.

¹¹ I.D. Whyte, *Scotland Before the Industrial Revolution: an Economic and Social History, c. 1050-1750* (Harlow, 1995), 107.

¹² *APS*, v, 370.

¹³ *Reports on the State of Certain Parishes in Scotland, made to His Majesty's Commissioners for Plantation of Kirks*, ed. A. Macdonald (Maitland Club, 1835), 31.

The majority of the pre-reformation monastic buildings in the south-west were abandoned after 1560, although Dundrennan Abbey and Whithorn Priory in Dumfriesshire were adapted for reformed worship, as was Kilwinning Abbey in Ayrshire. Some new churches were erected, at Anwoth, Portpatrick and Girthon in the 1620s. Elsewhere, pre-reformation parochial church buildings continued to be used, as at Buittle and Leswalt, although many parishes, especially in Dumfries and Galloway, lacked adequate buildings.¹⁴ Church building was an expensive business. The parish of Dunscore erected a new church at Dalgarno, in the centre of the parish, at a total estimated cost of £419, in a parish whose rental was valued at £8,699 in 1649. The church was to be paid for by the heritors and parishioners proportionately, at the rate of £36 16s out of every hundred pounds of valued rent.¹⁵

The 6th earl of Cassillis appears to have been financially supportive of several ministers in the area, augmenting the stipend of John Livingstone at Stranraer out of his own rental.¹⁶ He was, however, unusual among land holders, who more normally sought to obtain the maximum financial profit from the church and reduce stipend payments. Complaints about the low levels of stipend were frequent, as were complaints about the problem of forcing teind holders or tacksmen of teinds to actually pay. The stipend at Terregles was 480 merks, 'ewill payit', but the real problem was that 'the haill paroche is but fyftie ane merk land and nocht fertile'.¹⁷ At Urr, however, the commissioners for the augmentation of stipends had allotted a stipend of 800 merks, a quarter of which was suspended at the request of MacClellan of Bombie, the tacksmen of the teinds.¹⁸ The commissioners who reported on the parishes of Kirkinner and Longcastle complained that 'thair is na stipend sa small (the charge considerit) in this countrey and trewly it is nocht sufficient to sustein ane honest man burdenit with sic ane charge'.¹⁹ While accounts such as these emphasised the poverty of the parish ministry in an attempt to gain financial concessions - several of the reports contain detailed accounts of the lands and rentals in the parish as

¹⁴ RCAHMS, *Inventory of Monuments in Dumfriesshire*, 7th report (Edinburgh, 1920), *passim*.

¹⁵ *APS*, vi, pt ii, 345.

¹⁶ *Life of Livingstone*, 200.

¹⁷ *Report on Certain Parishes*, 141-2.

¹⁸ *Report on Certain Parishes*, 146.

¹⁹ *Report on Certain Parishes*, 215.

evidence of their claim that an augmented stipend could easily be paid - such problems were genuine and would have had an impact on the recruitment of the parish ministry in unattractive and poorly remunerated rural parishes. The minister of Moffat, hearing of the vacancy of the kirk of Liberton near Edinburgh in 1623, petitioned to be presented to it as 'these fourteen yeirs I have streavin, and am now wearie with the barbaritie of my nichtboures'.²⁰

The mobility of ministers was a feature of church life in the south-west and a process which was accelerated in the covenanting years, as the general assembly transferred ministers from parish to parish. Thus the prominent ministers of the south-west, including Dickson, Blair, Baillie, Rutherford and Livingstone, were all translated out of the locality to more prominent charges; several to divinity faculties. These ministers were politically astute and accustomed to dealings with the nobility, a role which they continued to exercise. They did not, however, leave a vacuum, as another, younger, generation of ministers arose in the locality, possibly more radical.²¹ Obviously parishes did not like to lose their ministers. The parishioners of Anwoth petitioned against the loss of Rutherford in 1638. A more serious petition, which indicated the extent of the loss of ministers from the locality, was presented by the earl of Eglinton against the transportation of James Ferguson of Kilwinning in 1649. Eglinton complained that the loss of Ferguson and of Hew McKail of Irvine was all the more grievous because he had already lost Dickson and Baillie and he had 'not bene amongst the last in contributing my uttermost for the cause of God these yeares bypast, an maine motive to quhilk hath bene the faithfull warning and upstearing quhilk I receaved both in publict and private from my ministers'.²²

The reformed ministry did not come cheaply. The stipend of the minister of Ayr, in both money and victual, was worth in the region of £500; in 1623-4 the stipend in silver and victual was worth £533 6s 8d.²³ As has been pointed out, the cost of obtaining bread and wine for communion restricted the frequency with which many parishes could celebrate the sacrament and certainly precluded the frequent

²⁰ *Ecclesiastical Letters*, ii, 734-5.

²¹ See, for example, the discussion of the ministers present at Mauchline Moor below.

²² W. Fraser (ed.), *Memorials of the Montgomeries, Earls of Eglinton*, 2 vols. (Edinburgh, 1859), i, 312.

²³ *Ayr Burgh Accounts*, ed. G.S. Pryde (SHS, 1937), 250.

celebration of communion on holy days prescribed by James VI in 1618.²⁴ The cost of elements for communion was high, admittedly higher in the more populous parishes such as Ayr which could better afford to absorb these costs, but would still have presented a problem for poorer parishes. Fifteen merks were paid annually by the teind holders of the parish of Kirkinner in Wigtownshire for the purchase of bread and wine for communion.²⁵ In theory Ayr held four communions each year in the first half of the seventeenth century. In practice the sacrament was often celebrated only two or three times annually, although this varied from year to year, and communions were frequently held on variable dates. In 1623-4 the costs of visiting ministers, wine and bread amounted to over £145. During the financial year 1614-15 the burgh paid £16 16s 8d for communion wine alone, although this paled into insignificance alongside the £117 worth of wine provided by the burgh to local noblemen and drunk at Kennedy of Blairquhan's wedding.²⁶

The kirk made the link between slowness of church development and the spread of Catholicism. In 1601 the general assembly lamented the 'neglecting of places that are of cheifest importance to the interest of religion, in not planting sufficient pastors thereat'. All of the locations specified were associated with recusancy, including the house of Lord Herries and the burgh of Dumfries.²⁷ Although Ayrshire had continued to be a centre for Catholic recusancy in the decades after the Reformation, there is little evidence for Catholicism in the seventeenth century. The ministers of Ardrossan and Beith in the presbytery of Irvine were accused of intercommuning with a Capuchin friar, John Campbell, and ordered to compear before the privy council in 1610. Their defence was that Campbell was a relative, in fact the brother-in-law of one of them.²⁸ The lack of recusant activity was common throughout the south-west,

²⁴ A.R. MacDonald, *The Jacobean Kirk, 1567-1625: sovereignty, liturgy and polity* (Aldershot, 1998), 161.

²⁵ *Report on Certain Parishes*, 208. The stipend was 500 merks.

²⁶ Although, as the editor of the *Ayr Burgh Accounts* has pointed out, Ayr's expenditure on the post-Reformation church was less than its expenditure on ecclesiastical matters prior to 1560, lxii. The accounts record the payments for wine, bread and ministerial expenses for communions, although these vary significantly in terms of the outlay and the timing of the communion. The two examples given are on pp. 258, 281.

²⁷ *Acts and Proceedings of the General Assembly of the Kirk of Scotland*, ed. T. Thomson, 3 vols. (Bannatyne Club, 1839-45), iii, 964.

²⁸ *Ecclesiastical Letters*, i, 234.

with one notable exception: Dumfries and its immediate vicinity provided numerous examples, not just of the practice of Catholicism, but of counter-reformation missionary activity. In 1601 a number of inhabitants of Dumfries were cited for attendance at mass. Those accused of recusancy included John Corsan, who was on several occasions provost of the burgh and the father of the provost Corsan who was imprisoned by the covenanters for allegedly turning Dumfries over to Montrose in 1644.²⁹ The Catholic influence in the parish of New Abbey continued long after the death of the notorious Abbot Gilbert Brown.³⁰ In 1628, following the apprehension of two Catholics in the parish of New Abbey, Grierson of Lag and Charteris of Amisfield were attacked by a local mob. The minister of New Abbey complained that ten of his 400 parishioners had been excommunicated, seventy were recusants or non-communicants and that pre-reformation practices, such as the lighting of bonfires on holy days, continued in the parish. He further alleged that himself, the schoolmaster and their families had been threatened with violence by recusants in the parish.

The minister of Dumfries failed to apprehend an itinerant priest in 1626, but succeeded in capturing a 'number of oistis, superstitious pictouris, preistis vestimentis, alter, challice, plait boxis, with oylis and oyntmentis, with suche other trashe as preistis cary about with thame for popishe uses'. In 1634 a number of people were apprehended for attending 'a pretendit marriage by a popish priest ... upon the fields under silence of night with candle light'. This recusant activity was taking place at the 'Brigend of Dumfries', that is outside the burgh itself and in the adjacent community of Maxwelltown, under the protection of the Catholic Maxwell family.³¹ Robert Maxwell, 1st earl of Nithsdale, was a high profile local Catholic. As he was frequently absent from Scotland he cannot have been directly responsible for fostering Catholicism on his properties, but he did not discourage it. The majority of his extensive Maxwell kindred shared his faith, such as Lord Herries, whose wife, along with Nithsdale's wife, was excommunicated by the minister of Terregles in

²⁹ *RPC*, 1st series, vi, 326-7.

³⁰ M. Dilworth, 'Abbot Gilbert Brown: a Sketch of his Career', *Innes Review*, xl (1989).

³¹ *RPC*, 2nd series, i, 407; ii, 285, 579-80; v, 293-4, 260-1; *Ecclesiastical Letters*, ii, 408.

1628.³² Nithsdale himself, due to his closeness to the king and to Henrietta Maria, was untouchable by the kirk, which fact alone must have encouraged local Catholicism.³³ Charles I's letter to the Scottish episcopate in 1626, best known for its statement of the king's attitude towards the enforcement of the Five Articles, also stipulated that 'the Earle of Nidisdaill be not troubled for his religion, unlesse he give some publicke offence, till wee be first acquainted therwith'.³⁴

The educational backgrounds of the ministry in the south-west had a strong bearing on their adherence to the Covenants. The majority of ministers who held charges in the south-west had been trained at the University of Glasgow. Graduates of the more conservative University of Aberdeen were unusual; William Annand, imposed on Ayr by the archbishop of Glasgow, was a rare example of an Aberdeen educated minister. The educational backgrounds of a sample of twenty-three ministers in the presbytery of Ayr whose qualifications are known are fairly typical: twelve were graduates of the University of Glasgow, six had been educated at St Andrews and three at Edinburgh.³⁵

There was, however, a wide divergence within the ranks of the covenanting ministry in the south-west, both in terms of their radical pedigree and their positioning within the movement. At one end of the spectrum were ministers such as Robert Baillie, whom it would be difficult to describe as radical, but who broadly adhered to the mainstream covenanting party. The career of Robert Baillie illustrates the problems inherent in using the term 'radical', either as a blunt instrument or as a historical label.

³² *RPC*, 2nd series, ii, 535; iii, 96-7. Herries was married to Nithsdale's sister and Nithsdale's wife was the daughter of the duke of Buckingham's uncle. In 1647 the synod of Dumfries ordered that notice of the excommunication of Lord and Lady Herries, the Countess of Nithsdale and a number of their kindred be intimated from the pulpits of the synod, W. McDowall, *History of the Burgh of Dumfries* (4th edn, Dumfries, 1986), 400.

³³ K.M. Brown, 'The Making of a *Politique*: the Counter Reformation and the regional politics of John, eighth lord Maxwell', *SHR*, lxvi (1987), 158-9, where he discusses the limited impact the reformed church had in the region and the continued importance of Catholicism in the 1570s and 80s, despite the brief conversion of several leading Maxwells. This was the environment in which the first Jesuit missionaries began to operate.

³⁴ Balfour, *Works*, ii, 144. The order that no action was to be taken against Nithsdale without consulting with the king was repeated in 1629, Row, *History*, 348.

³⁵ Scott, *Fasti*, iii, *passim*.

Baillie's appointment as principal of Glasgow University in 1660 was considered unwise in some quarters as the job 'would requyr a man of a more activ and resolut temper, by whose authority the ministry of the West ... might be reduced and kept in order'.³⁶ It is hard not to feel some degree of sympathy for the impossibility of Baillie's situation. He was offered the principalship as a result of the deprivation of Patrick Gillespie, the brother of George Gillespie, Baillie's former colleague as a delegate to the Westminster Assembly of Divines. For, by 1660, Baillie was perceived by many of his former covenanting brethren to be a moderate, a member of the Resolutioner party within the church and a favourer of accommodation with the monarch who was even considered to be a potential candidate for elevation to the episcopate in 1660.³⁷ Yet Baillie had been an active supporter of the Covenants and, as a native of Glasgow, graduate of the University of Glasgow and former minister of Kilwinning in Ayrshire, could also be said to have been representative of the radical south-west.³⁸

As a student and in the early years of his ministry, Baillie largely acquiesced with the polity and worship of the church, advocating conformity. Thus he admired Samuel Rutherford as 'godly and a pretty scholar', but had reservations about his arguments in pamphlets published against episcopacy and the observation of ceremonies in the church.³⁹ In August 1637, however, he refused an invitation from the archbishop of Glasgow to preach in favour of the service book and was active in encouraging parishes in Ayrshire to prepare supplications against the service book to present to the privy council in September of that year.⁴⁰ Baillie had close links with the leading covenanting nobles of Ayrshire: Loudoun, Cassillis and, in particular, his patron, the earl of Eglinton. He attended the general assembly of 1638 where he protested that deposition of the bishops was illegal, earning him a temporary exclusion from the ranks of the covenanting ministers. Baillie regained his position as a supporter of the Covenants and, in 1643, was one of the ministers chosen to represent the kirk at the Westminster Assembly of Divines. Although less dogmatic on the issue of episcopacy than most of his associates, Baillie was no stranger to controversy and the author of several polemical works including *An Antidote Against Arminianism* (1641)

³⁶ Baillie, *Letters and Journals*, i, p. lxxxv.

³⁷ J. Buckroyd, *Church and State in Scotland, 1660-1681* (Edinburgh, 1980), 42.

³⁸ F.N. McCoy, *Robert Baillie and the Second Scots Reformation* (Berkeley, 1974).

³⁹ Baillie, *Letters and Journals*, i, 8-9.

⁴⁰ See below.

and *The Canterburians Self-Conviction* (1640).⁴¹ He was particularly exercised with the issues of Anabaptism and Independency and informed about events in New England such as the controversy surrounding Cotton Mather's ministry in Massachusetts.

At the other end of the spectrum were the seven ministers present at the rising on Mauchline Moor in June 1648, commended by the 1649 parliament as having taken action in 'a zealous and loyall testimony to the truth and covenant'.⁴² The armed rising at Mauchline had developed within the context of a genuine communion season. The reason for the presence of Thomas Wylie, the minister of Mauchline, was, therefore obvious. The other ministers, the ministers of Ayr, Fenwick, Loudoun, Kilmarnock, Dundonald and Galston, all parishes in the vicinity of Mauchline, may originally have been present due to the communion season, particularly on the Monday which was a popular day for those from neighbouring parishes to participate in the service of thanksgiving. All seven ministers were, of course, among the more radical representatives of the kirk, although by the late 1640s this was probably true of the majority of ministers in Ayrshire. In many ways they represented a new generation of ministers, radicalised by the experiences of the covenanting era, just as the generation which had grown up under the liturgical innovations and were now prominent in the covenanting movement had been shaped by their experiences. Were, however, the Mauchline ministers a new 'super radical' breed of ministers, of lower social standing, without connections and divorced from national politics?⁴³

None of the major covenanting ministers were at Mauchline, largely because, as has been argued above, it was a feature of the religious experience of the south-west that its most prominent ministers were all transferred out of the locality to more prominent positions during the covenanting era. The ministers at Mauchline were noted radicals and some were newer entrants to the ministry. They were not, however, unconnected or of little importance, although their connections confirm their radical credentials. William Adair, the minister of the second charge of Ayr

⁴¹ Baillie also published *A Parallel or Brief Comparison of the Liturgie with the Masse-Booke, the Ceremoniall and other Romish Rituals* (London, 1641). This and the treatise against Arminianism were expansions of speeches given at the Glasgow general assembly of 1638, suggesting that it was primarily in upholding the lawfulness of episcopacy that Baillie differed from the tenor of the assembly.

⁴² *APS*, vol vi, pt ii, 138.

⁴³ As, for example, in Lynch, *Scotland: A New History* (London, 1991), 277.

from 1639 who transferred to the first charge in 1646, was related to the Adairs of Kinhilt and married to the widow of Robert Cunningham, one of the ministers who had been in Ireland in the 1630s.⁴⁴ William Guthrie of Fenwick was born in 1620 and the minister of a newly erected parish whose church had been built circa 1643. He was the cousin of James Guthrie, one of the few individuals singled out by Charles II for execution at the Restoration. Prior to Mauchline, John Nevay of Loudoun had served as a member of the commission of the kirk and a chaplain in the army; Wylie, Guthrie and Nevay were all members of the commission of the kirk in 1649.⁴⁵

Several of the ministers present at Mauchline Moor had, however, been outspoken supporters of the need for further, radical reformation of the church. A number of issues divided opinion in the covenanting church, including the persistence of private meetings or conventicles in strongly covenanting areas such as the south-west.⁴⁶ Many in the church sought to curtail such meetings, partly on the grounds that they were open to accusations of moral laxity, but they were defended by leading radical ministers including David Dickson, Samuel Rutherford, John Livingstone, Robert Blair and John McLellan. All of these men had had links with the south-west in the 1620s and 30s and would have been mindful of the importance of such private gatherings in providing an alternative to the liturgical innovations of James VI and in galvanising organised opposition to royal policy. Livingstone and Blair had exercised itinerant ministries preaching at private meetings in the south-west in the 1620s and 30s and both Dickson and Rutherford had recognised the value of such private meetings of the faithful. As minister of Stranraer Livingstone had received request from parishioners to be present at his family exercises, to which he had compromised by holding worship each morning in the church.⁴⁷ The attitudes of these ministers was

⁴⁴ Scott, *Fasti*, iii, 8; E.P. Dennison Torrie & R. Coleman, *Historic Stranraer: the archaeological implications of development* (Scottish Burgh Survey, Aberdeen, 1995), 15, 17. Adair's tomb in the graveyard of the parish church of Ayr, which refers to him as a member of the 'Antiquissimae Familiae de Kinghilt', is a particularly striking effigy of him kneeling in prayer wearing a preaching gown and cap. Robert Adair of Kinhilt, a committed Wigtownshire covenanter, joined the Army of the Western Association in 1650.

⁴⁵ *Records of the Kirk of Scotland*, 549-50.

⁴⁶ Baillie, *Letters and Journals*, 248-55; D. Stevenson, 'The Radical Party in the Kirk', *Journal of Ecclesiastical History*, 26 (1974), 142-147; Makey, *Church of the Covenant*, 59-63, where he suggests that ministers such as Rutherford viewed the privy kirk as 'an invaluable reservoir of revolutionary energy', (63).

⁴⁷ *Life of Livingstone*, 161-2.

noted by Robert Baillie, according to whom, 'Mr Rutherford had, in a treatise, defended the lawfulness of these meetings in greater numbers, and for more purposes than yet we have heard practised; also Mr Dicksoun had written, and practiced, and countenanced some things in these meetings'.⁴⁸

A new division came to a head in 1643 over the question of purity of worship, to which end a number of ministers advocated an end to traditional practices, particularly the using of set prayers such as the Lord's Prayer, ministers kneeling to pray in the pulpit before sermons and the singing of doxologies. This debate had received a new urgency with the conclusion of the Solemn League and Covenant, as the elimination of these elements in the worship of the church could be portrayed as facilitating concord with their English brethren. A treatise against these ceremonies was drawn up by Gabriel Maxwell of Dundonald and supported by six other Ayrshire ministers, including the ministers of Ayr, Kilmarnock and Loudoun.⁴⁹ At the general assembly of 1643, John Nevay argued vigorously, and fruitlessly, against the use of the Lord's Prayer.⁵⁰ As David Stevenson has pointed out, the profile of those supporting an end to these customs in worship was different from those who had upheld the cause of private meetings, i.e., they were not the kirk's radical leadership but parish ministers of less national importance, particularly from the south-west.⁵¹ While none of the leading radicals were among those advocating these changes, the response to the issue did reveal differences in the opinions of the leading covenanting ministers, e.g., Livingstone and McLellan supported Nevay and Rutherford and Dickson argued against him. It is, therefore, perhaps not surprising that the Mauchline Moor ministers would be found among the ranks of the minority Protester party in the kirk in 1650. Wylie, Adair, Maxwell, Nevay, Guthrie and Mowat were, for example, cited as being with the Army of the Western Association which plundered the estates of Queensberry and Drumlanrig in October 1650.⁵²

The overwhelming majority of ministers in the south-west either actively supported or at least acquiesced with the covenanters. It is not, however, simply sufficient to

⁴⁸ Baillie, *Letters and Journals*, i, 253.

⁴⁹ Baillie, *Letters and Journals*, ii, 69-71.

⁵⁰ Baillie, *Letters and Journals*, ii, 94-5.

⁵¹ Stevenson, 'Radical Party', 156.

⁵² J. Paterson, *A History of the County of Ayr: with a genealogical account of the families of Ayrshire*, 2 vols. (Ayr, 1847-52), i, 127.

assume that ministers were automatically covenanters; in other parts of Scotland such as Aberdeenshire this was far from the case. Nor were all ministers in the south-west necessarily opposed to the introduction of the service book. Gavin Young, the minister of Ruthwell, wrote to his patron, the earl of Annandale, in 1637, advising him that 'I have it of a certaintie that so many noble men have subscryved a confederacy against that book and that they shall all stand and fall together'.⁵³ Here the supremacy of covenanting sympathies within the ranks of the ministers of lowland Scotland, and of the south-west in particular, was crucial. The dominance of the covenanting ministers made dissenting from the Covenants an act of some consequence and acquiescence a more attractive option, to such an extent that even a notorious supporter of the liturgical changes such as William Annand of Ayr could subscribe the National Covenant in an attempt to safeguard his position.

The Implementation of Royal Policy and the Reaction to it

There were at least three different generations of radical presbyterian ministers associated with the covenanting movement.⁵⁴ Firstly, the established ministers who were already in charges during the process of liturgical reform; those who were, for example, cited before the court of high commission for non-conformity to Perth, such as George Dunbar of Ayr, David Dickson of Irvine and John Fergushill of Ochiltree. Dickson was active in organising both clerical and lay subscription of the National Covenant and Fergushill represented the presbytery of Ayr in the 1638 general assembly. The second group were those who were, for example, at university when the Five Articles were introduced and who experienced more difficulty in entering into their own charges, such as Robert Blair and John Livingstone, who were unable to obtain charges in Scotland before 1638.. A third group were those who entered the ministry post-1638 and whose outlook was shaped by the covenanting movement, including the ministers who joined with the insurgents at Mauchline Moor, such as

⁵³ HMC, *Report of the Laing Manuscripts preserved in the University of Edinburgh*, 2 vols. (London, 1914), i, 198-9.

⁵⁴ John Coffey has argued persuasively that these ministers 'should be considered as part of the Puritan tendency within English speaking Reformed Protestantism. To describe them simply as Presbyterians or Covenanters focuses attention on their particular ecclesiological or political positions, whilst obscuring the ethos and spirituality that they shared with zealous Protestants beyond Scotland. To capture the latter we need to employ the term "Puritan" ', J. Coffey, *Politics, Religion and the British Revolutions: the mind of Samuel Rutherford* (Cambridge, 1997), 17-18.

John Nevay of Loudoun and William Guthrie of Fenwick. All were influenced by the need to respond to the twin processes of liturgical change and royal and episcopal intervention in the church.

The watch word of the 1620s and 30s was conformity - or the lack of it: conformity with the institution and authority of the episcopate and, above all, with the liturgies and ceremonies introduced into the church. In 1620 David Dickson was on the leet to become one of the ministers of Edinburgh. According to David Calderwood, Patrick Galloway enquired about Dickson 'Is he conforme? Will the bishop receive him? We will have none to come heir but such as will obey the king and his lawes'.⁵⁵

While liturgical reform was undoubtedly the most prominent issue fuelling presbyterian dissent in this period, several contemporaries identified the reason for their dissatisfaction as partly theological. Robert Blair explained the reasons for his departure from Scotland to the 1638 general assembly at length. He referred to the period when he had been a regent in the University of Glasgow and

a learned Countryman of mine, that had been in forraigne pairts, and promised to reduce the College to conformitie to Perthes Articles; and finding me somewhat resolute to stand out, it made some little grudge in that learned mans mynd ... there was addit to this ane uther in a publict theologicall dispute. It fell out that a poynt of Arminianisme in the poynt of election, where foirsein faith was ... this being the Controversie, standing out against the corrupt course of conformitie, and that in a dispute I taxed that Arminian poynt in my notes upon Aristotles Ethicks and politicks.

He was publicly examined on these points and it was as a result of this that Blair resigned his place in the college and settled in Ireland.⁵⁶ Robert Baillie, in a letter to the archbishop of Glasgow, claimed that while ceremonies and innovations in worship were the only changes in the church there was no need to protest, but that when they were asked to 'devoire Arminianisme and Popery ... shall we not bear them witness of their oppression, though we should die for it'.⁵⁷

⁵⁵ David Calderwood, *History of the Church of Scotland*, ed. T. Thomson, 8 vols. (Wodrow Society, 1842-9), vii, 448.

⁵⁶ *Records of the Kirk of Scotland*, i, 149.

⁵⁷ Baillie, *Letters and Journals*, i, 30.

It was, however, undeniably the introduction of the Five Articles which proved the catalyst for renewed protest.⁵⁸ Robert Blair admitted of the years prior to Perth that 'at this time I observed little controversy of religion in the kirk of Scotland, for though there were bishops, yet they took little upon them, and so were very little opposed until Perth Assembly'.⁵⁹ Like Blair and Samuel Rutherford, who became a student at the University of Edinburgh in 1617, John Livingstone was typical of the younger generation of James VI's dissident ministers. Born in 1603, he described himself as being 'from my infancy bred with aversnes from Episcopacy and ceremonies', the first public example of which was his refusal to kneel to receive communion while a student in Glasgow.

The situation in Ireland, where the scarcity of ministers and the need to plant Protestant preachers made the exactness of their theological position less important, was providential for ministers unable to satisfy the ecclesiastical authorities in Scotland. One minister claimed that Andrew Knox, bishop of Raphoe - himself an emigrant from Scotland and the former bishop of the Isles - 'refused no honest man, having heard him preach'.⁶⁰ Several of the Scots ministers in Ireland alleged that Knox recognised the scruples of their consciences, allowing them to undergo non-episcopal forms of ordination and admission to the ministry such as the laying on of hands by their brethren. Knox's involvement in the ordination of Blair and Welsh would have been particularly unusual as their parishes lay within the diocese of the bishop of Down. More than one presbyterian minister in Scotland claimed to have been able to circumvent episcopal ordination. In the case of the ministers who went to Ireland, it is likely that they were able to obtain ordination by other means, having gone there partly to secure liberty of conscience. John Livingstone was offered his parish of Killinshie in 1630 by Viscount Claneboye and described in his *Autobiography* how the inhabitants of nine or ten parishes within a twenty mile

⁵⁸ Alan MacDonald has argued that we need to see a continuity in James's ecclesiastical policy post-1603 and an equal continuity in the opposition to it, although he also points out that the disaffected and the supporters of royal policy should not be seen as two entrenched parties, MacDonald, *Jacobean Kirk*, 181-3. Baillie is a good example of a minister in Charles's reign who fits this latter pattern, who was prepared to accept some changes but balked at others. While the example of the burgh of Ayr supports the argument for continuity, the Five Articles, as will be argued below, were crucial in crystallising opposition, and particularly important in encouraging dissent amongst the laity.

⁵⁹ *Life of Blair*, 12.

⁶⁰ *Life of Blair*, 81.

radius used to come together for prayer, preaching and to celebrate communion.⁶¹ Many of his colleagues were fellow Scots in exile: Robert Blair at Bangor; Robert Cunningham at Holywood; James Hamilton (Claneboy's nephew) at Beltwater; George Dunbar, previously minister of Ayr, at Larne and Josias Welsh, who was the son of John Welsh, another former minister of Ayr, at Templepatrick.⁶² John Row described one of David Dickson's communions at Irvine in April 1637, which was attended by 'sundrie of the banished ministers out of Ireland, and other good Protestants also quho left Ireland, and came whole households, their wyfes, bairnes, and families and dwelt in Irvine for the comfort of their owne conscience' as 'antichristian prelates were raging in Ireland aganis Christ and his cause, ministers and members.'⁶³ All of ministers in Ireland had permanently returned to Scotland by 1637, the majority of them settling in the south-west and taking up charges there after 1638. Robert Blair, was minister of Ayr in 1638, Livingstone minister of Stranraer and Hamilton minister of Dumfries. John Welsh died in 1634, Cunningham died at Irvine in 1637, having settled there after being deprived from his Irish charge. John McLellan, a school master in Ireland in the 1630s, became minister of Kirkcudbright in 1638.

The correlation between events in Ulster and Scotland had further, ideological, implications for the development of opposition to Charles I on religious grounds. Scarcity of ministers aside, Ulster proved to be a difficult choice for dissident ministers in the 1630s. Livingstone and Blair enjoyed their Irish ministries only briefly as they, along with several of their brethren, were deprived of their charges on a number of occasions by the bishop of Down on the grounds of their nonconformity, before they were finally compelled to demit their charges permanently. By 1637 Livingstone and his colleagues had been deposed from the ministry in Ireland 'becaus the King wes informed that they were likelie to bring in a new sect of Religion in that kingdome'.⁶⁴ Their experiences in Ireland played a crucial role in radicalising the beliefs of the deposed ministers and their Scottish associates. The introduction of the Irish canons of 1635, an end to the toleration of nonconformity and the deprivations

⁶¹ *Life of Livingstone*, 142-3.

⁶² *Life of Livingstone*, 141-3; D. Stevenson, 'Conventicles in the Kirk 1619-37: the Emergence of a Radical Party', *RSCHS*, xviii (1973), 106-7.

⁶³ John Row, *The History of the Kirk of Scotland*, ed. B. Botfield, 2 vols. (Maitland Club, 1842), ii, 191-2.

⁶⁴ Row, *History of the Kirk of Scotland*, ii, 145.

carried out by the new Irish court of high commission after 1635, all raised apprehensions as to what was to be expected in Scotland.⁶⁵ According to Livingstone, many of the Irish Protestants who fled to the south-west had left prior to 1641, some in 1637 when their deposed ministers were forced to leave, others in 1639 when forced to abjure the National Covenant: ⁶⁶

It is observable that the stroak upon the people in the North of Ireland increased by degrees. At first they thought it an hard case they were not sure to enjoy their ministers; but thereafter their ministers were deposed. When that was found yet harder to be born, the ministers were forced to flee the countrey, and hyrelings thrust upon them. When that had continued sometime, and they thought hardly ane worse condition would come, the abjuring oath was urged upon them, and after all comes the bloody sword of the rebels.

Leaving Scotland, in some form or another, was a concept much discussed among some presbyterian dissidents during the 1630s. The possibilities were limited. Obviously England was not an option and much of Europe was out of the question due to the Thirty Years War - the effect of the war upon their godly brethren was of great concern to many Scots. Without the possibility of going to Ireland, perhaps more would have considered the continent. Robert Baillie commented to William Spang, minister of the Scots church at Campvere, that it would be preferable for Samuel Rutherford to get a living in one of the theological colleges of the United Provinces because 'for our King's dominions, there is no appearance he will ever gett living into them'.⁶⁷ Some of the younger ministers of the 1630s survived the 1640s and 50s to go into exile at the Restoration. John Livingstone joined the many exiled ministers who gathered at Rotterdam, creating a dissident ministerial community in exile, similar to that which had gathered in Ireland in the 1620s and 30s. Several of these ministers made clandestine visits to Scotland, nurturing some of the leaders of the opposition to the restored episcopate in the south-west, such as Richard Cameron, ordained at Rotterdam in 1679 and killed at Airds Moss in Ayrshire in 1680. It was perhaps appropriate that the first edition of Samuel Rutherford's letters, many of which had been written when he had been banished to Aberdeen, was compiled and printed by Robert McWard in exile at Rotterdam.

⁶⁵ N. Tyacke, *Anti-Calvinists: the Rise of English Arminianism, c.1590-1640* (Oxford, 1987), 228-30.

⁶⁶ *Life of Livingstone*, 165.

⁶⁷ Baillie, *Letters and Journals*, i, 9. Baillie was writing in 1637, after Rutherford's banishment to Aberdeen.

Others looked further afield in the 1630s. It was suggested to Robert Blair 'even by some of those who had a hand on oppressing me ... that if I accepted a benefice within the bounds of a British plantation, they would be so far from envying it, that they would be instrumental in procuring of it'.⁶⁸ Blair did, in fact, attempt permanent emigration, after he was deprived of his Irish ministry. In 1636, 140 passengers set sail from Belfast aboard the *Eagle Wing* bound for New England, but were forced to turn back due to bad weather. If they had succeeded this would have permanently removed both Blair and Livingstone, in addition to John McLellan, the future minister of Kirkcudbright, and John Stewart, the provost of Ayr, who would be politically active in the 1640s.⁶⁹ Rutherford wrote to Blair, Livingstone and Stewart the following year, to commiserate with them on the failure of their plan to emigrate and remind them that the Lord had work for them yet to do in Scotland, although he professed that 'if I saw a call for New England, I would follow it'.⁷⁰

In Scotland, the situation in towns, where the most vocal ministers and the most influential pulpits were to be found, was particularly sensitive. The burgh of Ayr offers a striking example of the way in which the king's wishes became enmeshed with the intricacies of local politics. John Welsh, minister at Ayr from 1600, was exiled to France in 1606 following his attendance at the proscribed Aberdeen general assembly.⁷¹ Welsh's replacement, George Dunbar, was himself removed from the charge by order of the privy council in October 1611 and ordered to be imprisoned in Dumbarton for 'seditious praying' on behalf of the 'banischit brethren', who included his predecessor. In addition the provost and bailies of Ayr were to be imprisoned for 'assisting and not correcting the said prayer'. Their replacements were named and charged with choosing a council of 'most conformable and discreit men' in a letter from James to the chancellor on 20 September.⁷²

James's fears of the magistrates' non-conformity were not unfounded. The town council had continued to provide financial support to the exiled John Welsh for

⁶⁸ *Life of Blair*, 103.

⁶⁹ *Life of Livingstone*, 153.

⁷⁰ Rutherford, *Letters*, 188-90, 191-2, 298-301, the reference to emigration to New England is on p. 301; Stevenson, 'Conventicles in the Kirk', 108-9.

⁷¹ Scott, *Fasti*, iii, 5.

⁷² *Ecclesiastical Letters*, i, 279-81; *RPC*, ix, 252-3, 630-1.

several years. Hugh Kennedy, the provost for 1610-11, voted against the Five Articles of Perth in the parliament of 1621 while his son, also Hugh Kennedy, would be active in the opposition to Charles I and a commissioner to the radical-dominated parliament of 1649.⁷³ However, James's letter of 1611 arrived too late and the Michaelmas election had already taken place, creating an impasse between the crown and the burgh. The burgesses of Ayr further complained that, in James's leet, a craftsman, George Bell, was chosen as a bailie 'which never was thair permittit'. Not only was this a valid objection representing a serious area of contention in urban politics at the time, but Bell appears to have been a relatively minor figure - who does not, for example, feature greatly in the accounts of the burgh. In the event a compromise was reached: two of James's nominations stood and Bell was replaced by a merchant 'who hes promisis grit reformation of matteris there' - exactly as the election appears in the burgh court book which betrays no suggestion of any disputed nominations.⁷⁴

One of the agents who effected this compromise was John Spottiswoode, archbishop of Glasgow, and the controversy over the election of magistrates in Ayr illustrates the extent to which Spottiswoode operated both as the superior of the diocese and as the king's secular representative. James's original charge had stipulated that the privy council deal only with the magistrates, leaving the further punishment of the minister to the church. In practice, Spottiswoode's remit appears to have been more extensive, allowing him to comment on the issue of the magistrates. The diocesan synod held at Irvine in 1612 to deal with dissident ministers certainly received petitions on behalf of the burgh, requesting Spottiswoode to intercede with the king on their behalf.⁷⁵

This was a satisfactory outcome for the burgh of Ayr, which had already successfully resisted the appointment of a royal nominee as provost in 1587.⁷⁶ The matter was not concluded so easily for Spottiswoode, who pronounced himself 'sollist for a Minister

⁷³ *Ayr Accounts*, 227, 231, 235, 243, 249-50; M.D. Young (ed.), *The Parliaments of Scotland: Burgh and Shire Commissioners*, 2 vols. (Edinburgh, 1992-93), i, 388.

⁷⁴ A George Bell purchased a licence to sell his goods in 1609-10 and a cooper, possibly the same George Bell whose election was disputed in 1611, received payment for making slate pins for the church roof, 1615-16, *Ayr Accounts*, 246, 263; *Ecclesiastical Letters*, i, 281; Ayr Carnegie Library, B6/12/5, Ayr Burgh Court Book 1607-1612, entry for 'magistrates at Michaelmas 1611'.

⁷⁵ *RPC*, ix, 631; *Ecclesiastical Letters*, i, 279.

⁷⁶ J. Strawhorn, *The History of Ayr* (Edinburgh, 1985), 25.

to the town ... I hold it no way sure to commit that flock to that Shepheard that hes teachit tham far to stray. Men ar heir very hardly found that hes curage or witt to cary tham selfis with suche ane affectit people, and I wold glaidly haif sum Englische man to reside thair for a season'.⁷⁷ George Dunbar was, however, allowed to return as minister of the second charge of Ayr in 1613, and served as minister of the first charge from 1619, before he was finally deprived by the court of high commission in 1622 for non-conformity to the Five Articles of Perth. His successor, William Annand, was imposed upon the reluctant burgh, which paid £426 to Thomas Foster 'quha suld haif bene minister here'.⁷⁸

Annand would be an enthusiastic supporter of Charles I's liturgical changes and was himself deposed from the ministry, this time by the general assembly of 1638 on the grounds of erroneous doctrine. William Brereton's hostess during his visit to Ayr in 1636 'complained much against him [Annand], because he doth so violently press the ceremonies, especially she instanced in kneeling at the communion; whereupon Easter day last, so soon as he went to the communion table, the people all left the church, and departed, and not one of them stayed, only the pastor alone'.⁷⁹ It was Annand who accepted the archbishop of Glasgow's request to preach in favour of the service book after Robert Baillie's refusal in 1637, a decision which led to him being attacked by a mob in the streets of Glasgow.⁸⁰ Annand did subscribe the National Covenant and acquiesce to it being subscribed in the parish church at Ayr. Baillie, however, was unconvinced of his sincerity:⁸¹

Mr. William Anan himself hes thus farre proceeded, to all our admiration; our marvell is increased, when he is said to repent it, and so say, he was constrained to doe what he did ... I hear for truth that Mr. William is put in a great dumpe, and, after some trouble bothe of minde and body, hes gone to Glasgow; to what purpose I cannot yet say. I suspect the town of Air's motion to him to consent to receive a helper, which they would name ... hes troubled

⁷⁷ *Ecclesiastical Letters*, i, 281.

⁷⁸ *Ayr Accounts*, 280-1; Scott, *Fasti*, iii, 6. John Osborne received £22 for riding to Falkirk to bring Annand to Ayr 'in accordance with an Act of Privy Council', *Ayr Accounts*, 280.

⁷⁹ Strawhorn, *Ayr*, 62.

⁸⁰ Baillie, *Letters and Journals*, i, 21.

⁸¹ Baillie, *Letters and Journals*, i, 62-3. The National Covenant was in fact signed by four ministers who styled themselves 'minister of Ayr', including both Annand and Robert Blair, A.I. Dunlop (ed.), *The Royal Burgh of Ayr* (Edinburgh, 1953), 109.

him more then anything else; for they seem peremptor to have a minister conjunct with him, and that, either Mr. Robert Blair or Mr. George Dunbar their old minister, or such a man who will bear down Mr. William, and so kill him when he hes lost the Bishops his old freinds. This peremptory and unexpected motion, I fear, is the cause of his perplexity and change, if he doe make any.

Annand was deposed from the ministry in 1638 and over twenty witnesses testified against him at his trial before the 1638 assembly in 1638, including Robert Baillie and James Bonar, the minister of Maybole. His accusers were, however, mostly members of his congregation, headed by John Kennedy.⁸²

The experience of George Dunbar at Ayr was part of a wider trend. Three of his ministerial colleagues, the ministers of Kilwinning, Irvine and Ochiltree, were also cited before the court of high commission for non-conformity to the Five Articles.⁸³ In the south-west, however, the real significance of the Five Articles was the impetus they gave to galvanising lay opinion in the region. The opposition to the Articles signalled a new phase in the continuing opposition to James's religious policy. Whilst non-conformist elements of the ministry had already opposed the king over the imposition of episcopacy and the authority of the general assembly, the Articles, especially the requirement to kneel at communion, were the primary catalyst for lay opposition. This should not be surprising: changes in liturgy and worship affected everyday parish life in a way that changes in the ecclesiastical structure never had. Equally, it was much easier to question James's authority to prescribe for the church in matters of theology than his right to assume executive control over the institutions of the church. The timing of the Articles was also unfortunate. They came at a period in James's reign when the moderately disaffected welcomed an issue to express their dissatisfaction; opposition to the Five Articles became linked with opposition to other issues, such as increased taxation. Additionally, the length of James's absence in England made opposition to the king a practicable option. Would it have been possible for so many to vote against a king permanently resident in Scotland as did in the parliament of 1621?

⁸² *Records of the Kirk of Scotland*, i, 45, 164.

⁸³ Calderwood, *History*, vii, 428-31, 530- 40; P.H.R. MacKay, 'The reception given to the five articles of Perth', *RSCHS*, xix (1975), 195, 199.

David Dickson, the minister of Irvine, was summoned before the court of high commission in 1621 and ordered to be deprived and warded in Turriff in Aberdeenshire. The earl of Eglinton interceded on Dickson's behalf, with the result that.⁸⁴

Efter that, at the erle of Eglintoun's earnest request, the bishop granted Mr David libertie to come to Eglintoun, and to visit now and then his family in Irvine, but not to preache there. So Mr David teached in the great hall of Eglintoun, weeklie, and sometimes in the classe, when the hall could not contain the people which resorted to him out of Irvine, and other parts of his paroche.

The events of this period reinforced the links between ministers and the laity, many of whom saw the right of patronage as a perquisite of their rank and standing. Dickson dedicated a volume of his commentary on the Psalms to Eglinton to repay 'The old debt I owe your ... lordship for countenancing and encouraging me openly in my ministry, all the while I was in Irvine'.⁸⁵ The other two volumes were dedicated to the marchioness of Argyll and the 6th earl of Cassillis. James Durham's commentary on the Song of Solomon was posthumously dedicated by his wife to Lady Kenmure, who had had charge of Durham's daughter by his first marriage after her mother's death. Such support could also take the form of material aid. When John Livingstone was temporarily deposed from his Irish ministry he received financial support from a number of noblewomen, including Lady Boyd of Kilmarnock, the countess of Wigton and the countess of Eglinton.⁸⁶

In 1626 Charles issued instructions concerning the enforcement of the Five Articles which could be viewed as conciliatory in nature. He effectively drew a distinction between ministers who had entered into the profession prior to the introduction of the Five Articles and those who had entered the ministry after the Articles were already in place. The former were to be tolerated provided that they were not too strident in their opposition and did not try to convince others of their point of view.⁸⁷ Certainly the first decade of Charles's reign did not see any great increase in religious conflict

⁸⁴ Calderwood, *History*, vii, 538, 541.

⁸⁵ D. Dickson, *Psalms* (repr. 1 vol. Edinburgh, 1985), vii.

⁸⁶ *Life of Livingstone*, 148.

⁸⁷ Balfour, *Works*, ii, 142-5.

in the south-west. This was, however, due in large part to the nature of the episcopate in the locality.

Andrew Lamb, who became bishop of Galloway in 1619 and remained bishop until his death in 1634, was largely an absentee who made his residence in Leith, near Edinburgh, and became increasingly infirm and blind in his old age. Lamb was not noted for his forwardness in pursuing non-conformist ministers. Biographers of Samuel Rutherford have, for example, suggested that Lamb allowed Rutherford to be ordained by the imposition of hands due to the intervention of John Gordon, Viscount Kenmure.⁸⁸ While there is no clear evidence for this claim, Lamb was perceived by his presbyterian opponents to be less obnoxious in the exercise of his episcopal authority than some of his colleagues. His predecessor, William Coupar, who was appointed to the bishopric in 1613, was also frequently absent from his diocese.⁸⁹ Coupar was Dean of the Chapel Royal, which was his primary responsibility, and normally resident in Edinburgh where he preached regularly.⁹⁰ While their presbyterian detractors derided the bishops for their inactivity, Coupar claimed that it was he and his fellow bishops that were, for example, responsible for the plantation of churches in outlying regions.⁹¹ It was Coupar who, as James crossed the border after his visit north in 1617, preached a farewell sermon at Dumfries which, according to Spottiswoode, 'made the hearers to burst out in many tears'.⁹²

There was a paradox inherent in presbyterian attitudes to the Jacobean and Caroline episcopate. David Calderwood was divided in his response to the death of Coupar: on the one hand maintaining the unlawfulness of episcopacy and, on the other, complaining that Coupar did not go to his diocese to preach which, if bishops were to exist, was what they should have been doing. Calderwood further complained that when Coupar did go to his diocese he behaved imperiously and that the bishop 'upbraided' Robert Glendinning, the minister of Kirkcudbright who would come into

⁸⁸ A. Thomson, *The Life of Samuel Rutherford* (repr. Edinburgh, 1988), 18.

⁸⁹ William Scot, *An Apologetical Narration of the State and Government of the Kirk of Scotland since the Reformation* (Wodrow Society, 1846), 238.

⁹⁰ *Ecclesiastical Letters*, ii, 426.

⁹¹ Lynch, 'Preaching to the Converted', 538; D.G. Mullan, *Episcopacy in Scotland: The History of an Idea, 1560-1638* (Edinburgh, 1986), 125.

⁹² John Spottiswoode, *History of the Church of Scotland*, eds. M. Russell and M. Napier, 3 vols. (Spottiswoode Society, 1847-51), iii, 248.

conflict with Thomas Sydserff in 1636, for his criticism of those who had voted for the Five Articles.⁹³ The development of religious dissidence in Dumfries and Galloway prior to 1635 - the itinerant ministry of John Livingstone, for example - was facilitated by the absence of episcopal authority. This hypothesis is supported by the fact that the bulk of the problems relating to itinerant ministries or non-conformist ministers in the south-west prior to 1635 occurred in Ayrshire, within the archbishopric of Glasgow, arguably the more effectively episcopally administered region of the south-west. One post-Restoration minister, writing with a degree of nostalgia for the 1630s, commented that⁹⁴

Mr [Robert] Blair kept many private meetings (so were these meetings called then, which now, *anno* 1676 are called Conventicles, *odioso nomine*) ... the persecution then was nothing so hot and violent; for then the bishops (especially Spottiswood) were more moderate and dealt with the King for moderation. . And that was the cause why in these times there were no meetings in the fields, yea, no great and promiscuous meetings in houses, but only private meetings of eminent Christians ordinarily.

The persecution by the restored episcopate had put the religious policies of James VI and Charles I into context. It also supports the argument that it was the relative lack of intervention by the bishops, at least prior to Sydserff's arrival in Galloway in 1635, that had allowed these private religious meetings to flourish. It was when bishops were pro-active and effective in their dioceses that conflict ensued. In 1635 Galloway acquired just such a bishop.

Thomas Sydserff is one of the best candidates for the hypothesis that Charles sought to create a new type of active, interventionist, Arminian episcopate to be his representatives in the localities. Sydserff was born in 1581, the son of an Edinburgh merchant and a graduate of the University of Edinburgh who studied on the continent, at Heidelberg. He began his career as one of the ministers of Edinburgh and, in 1634, became the Dean of Edinburgh. Later that year he was consecrated as bishop of Brechin, partly due to the recommendation of William Laud, with whom he had come into contact during Charles's visit to Edinburgh in 1633. In 1635 he was translated to the bishopric of Galloway. As one of the ministers of Edinburgh, Sydserff had signed the protestation in favour of the liberties of the kirk in 1617, but

⁹³ Calderwood, *History*, vii, 349-50.

⁹⁴ *Life of Blair*, 137.

was described thereafter as 'a violent, virulent man, a great urger of conformity in Edinburgh'.⁹⁵ Presbyterian commentators frequently labelled their opponents as crypto-Catholic or Arminian.⁹⁶ William Scot referred scathingly to Thomas Sydserff and others 'who were popishly affected, and spared not to vent Arminianisme and Poperie publicly in the pulpits'.⁹⁷ In the case of Sydserff these comments would seem to have been justified and his detractors were fairly specific in detailing the theological nature of their complaints against him:⁹⁸

'Maxwell, Sydserf, and Mitchell, was never heard to utter any unsound heterodoxe doctrine (except in relation to prelacie and the ceremonies) till Forbes came to Edinburgh. But then it was taught: The Pope is not anti-christ; a Papist living and dying such may be saved; Christ died for all, intentionallie to redeem all; there is Universall grace; the Saints may fall from grace finallie and totallie; Christ is reallie present in the sacrament'.

It was during Sydserff's episcopate that the nave of Whithorn Priory was remodelled to accommodate the new styles of worship, including the raising of the east end as a platform for an altar.⁹⁹ Given that both Annand of Ayr and Bishop Sydserff were supporters of the liturgy and service book, the attacks on them by mobs in 1637 were perhaps not random acts of violence, but specifically directed towards symbols of unpopular religious policy in the localities.¹⁰⁰

The appointment of Sydserff may have been a response to pre-existing religious tensions in Galloway. Where, however, there had been few prosecutions for non-conformity in the diocese prior to 1635, Sydserff quickly entered into conflict with his presbyterian flock. Samuel Rutherford was presented to the new charge of Anwoth by Viscount Kenmure in 1627.¹⁰¹ Rutherford was opposed to the Five

⁹⁵ Row, *History*, 375.

⁹⁶ For a discussion of the importance of the fear of Arminianism in the 1620s and 30s see Coffey, *Samuel Rutherford*, 140-2.

⁹⁷ Scot, *Apologetical Narration*, 320-1.

⁹⁸ Row, *History*, 372, 190.

⁹⁹ J. Gifford, *The Buildings of Scotland: Dumfries and Galloway* (London, 1996), 564.

¹⁰⁰ See, e.g., Baillie, *Letters and Journals*, i, 21, 37.

¹⁰¹ In 1626 Livingstone was 'sent for by my Lord Kenmuir to come to Galloway, in reference to ane call to Alnwith, which at that time was not an parish by itself, but joynted to ane other, neither had an church builded. They offered before August next

Articles and liturgical change, but it was his publication of a treatise against Arminianism which led to his summons before the court of high commission in 1636 and subsequent banishment to Aberdeen.¹⁰² During his trial before the court of high commission Rutherford wrote to Marion McNaught that 'My newly printed book against Arminians was one challenge; not lording the prelates was another' and referred to the support he had received from Lord Lorne, the future Marquess of Argyll, whose sister was married to Viscount Kenmure.

Kirkcudbright was the burgh closest to Anwoth and experienced similar problems to those previously encountered by the burgh of Ayr in the relationship between its parish minister, town council and bishop. The schoolmaster of Kirkcudbright, Samuel Rutherford's brother, was summoned before the court of high commission in 1636 and ordered to leave Kirkcudbright.¹⁰³ A more serious and long running dispute developed around Sydserff's attempt to deprive the minister of Kirkcudbright, Robert Glendinning. Glendinning's son, William, was a merchant in Kirkcudbright, a member of the town council in 1636, the year of the bishop's action against his father, and was elected as provost of the burgh on several occasions.¹⁰⁴ Sydserff suspended Glendinning from preaching and, when the burgh's magistrates protested and continued to attend Glendinning's ministry, Sydserff ordered them confined in Wigtown.¹⁰⁵ It was in the context of this long running dispute that Samuel Rutherford exhorted Marion McNaught, in her capacity as the wife of a later provost of Kirkcudbright, 'to write to Edinburgh, to some advised lawyers, to understand what your husband, as the head magistrate may do ... in a word, how far he may in his

to have it disjoined, and ane church builded, and ane stipend settled, and desyred I would stay there in the meantyme. I was not willing to stay at that time, there being no appearance I could preach in the meantyme ... but thereafter the Lord provided a great deall better for them, for they got that worthy servant of Christ, Mr Samuel Rutherford', *Life of Livingstone*, 135.

¹⁰² Rutherford, *Letters*, 135-6.

¹⁰³ Row, *History*, 191, 406; Rutherford, *Letters*, 146.

¹⁰⁴ Young (ed.), *Parliaments of Scotland*, i, 278.

¹⁰⁵ Baillie, *Letters and Journals*, i, 16.

office disobey a prelate without danger of law.¹⁰⁶ He also advised her to 'try your husband afar off to see if he can be induced to think upon going to America'.¹⁰⁷

Another of Rutherford's regular correspondents who fell victim to Sydserrff was Alexander Gordon of Earlstoun. Earlstoun was initially summoned before the court of high commission in 1635, charged with keeping a minister, who had been ordered to preach by the archbishop of Glasgow, out of a parish. Lord Lorne interceded for Earlstoun and affirmed that Earlstoun had been acting according to his directions.¹⁰⁸ The matter was pursued further by Sydserrff who sought to confine Earlstoun in Wigtown. Again Lorne intervened on Earlstoun's behalf with the privy council and he was released from ward on payment of a fine.¹⁰⁹ Sydserrff was deposed by the 1638 general assembly when his treatment of Rutherford and Earlstoun was raised in his trial before the assembly.¹¹⁰ He retired first to England, where he was with Charles I at Newcastle in 1645, and later to the continent, spending several years in Paris where he continued to exercise his episcopal powers.

Sydserrff had pursued Earlstoun but was unable to take action against him, largely because of the influential support he enjoyed. His efforts to deprive Robert Glendinning were hampered by the town council's support for their minister. Sydserrff's episcopate illustrates the level of resentment that could be raised in the local community by an active bishop. It also reveals the limitations of episcopal power as it proved difficult for Sydserrff to enforce his edicts. Where the new deal episcopate came up against the forces of vested interest it had just as much difficulty in enforcing its remit as had the old style Presbyterian discipline.

¹⁰⁶ Rutherford, *Letters*, 125.

¹⁰⁷ G. Donaldson, 'Scotland's Conservative North in the Sixteenth and Seventeenth Centuries', *TRHS*, 5th series, xvi, reprinted in his *Scottish Church History* (Edinburgh, 1985), 210.

¹⁰⁸ Row, *History*, 389; Baillie, *Letters and Journals*, i, 16; *RPC*, 2nd series, vi, 507.

¹⁰⁹ *Records of the Kirk of Scotland*, i, 150.

¹¹⁰ *Records of the Kirk of Scotland*, i, 150. As the sole survivor of the pre-1638 episcopate at the Restoration, Sydserrff was translated to the bishopric of Orkney in 1661.

'Private Meetings' and the Organisation of Opposition

It was the form which the opposition to the Five Articles took that proved most damaging in the long term. The Five Articles, impacting as they did on the way in which an individual worshipped, had a direct impact upon the laity. Most importantly, the desire to avoid unpopular forms of worship led the religiously disaffected to seek alternative ministries and organise 'private meetings', in effect the first Protestant alternative to the establishment since 1560. These allowed the disaffected to make contact and were the forerunners of the networks which would prove so effective in co-ordinating opposition to Charles I. One minister, reflecting on the events of the covenanting years, highlighted the significance of these meetings:¹¹¹

But I am sure that the years 1637, 38, etc., in this late blessed work of Reformation, whilk hes even given a new life, as it were, to us who were born under prelatieall persecution, are the verie return of these fervent prayers uttered and sent up to Heaven at these most profitable and aedificative meetings, when the publict meetings were, for the most part, corrupted for not a few years.

Religious life in the south-west exhibited clear signs of what has been described as a 'Presbyterian subculture with its clandestine and subversive activities'.¹¹² Religious dissent of this type dates from the later years of James VI's reign and was a part of the religious culture of the south-west early in Charles's reign, long pre-dating the liturgical changes of the 1630s. The church, at least in the south-west, entered the reign of Charles I 'uneasily stretched between the Established Church and the underground conventicle'.¹¹³

During a visit to Kirkcudbrightshire in 1626 to discuss the possibility of his entering into the ministry at Anwoth, John Livingstone 'got acquaintance with the Lord Kenmure and his religious Lady, and severall worthy experienced Christians', including Alexander Gordon of Earlstoun and a wide network of the extended Gordon kindred, including Alexander Gordon of Knockgray and Robert and John Gordon of Knockbrax. Livingstone preached 'at ane communion in Borg, where was

¹¹¹ Row, *History*, 328.

¹¹² Coffey, *Samuel Rutherford*, 35-6.

¹¹³ D. Stevenson, 'Conventicles in the kirk, 1619-37: the emergence of a radical party', *RSCHS*, xvii (1973), 99-114; Lynch, *New History*, 243.

many good people that came out of Kirkcudbright, and was at privat meetings ... at Carlug, and at the Airds where Earlstoun dwelt'.¹¹⁴ Between his first visit in 1626 and his entrance into a settled ministry at Stranraer in 1638, Livingstone regularly preached throughout the south-west: he was a frequent visitor to Irvine, Newmilns and Kilmarnock, between 1632 and 1634 he was often at Dean Castle near Kilmarnock, enjoying the hospitality of Lady Boyd and preaching in the parish church and he was preaching within the presbyteries of Kirkcudbright and Stranraer in 1637.¹¹⁵ Robert Blair exercised a similar ministry.¹¹⁶ Samuel Rutherford personally advocated private religious meetings, advising a group of parishioners who complained of their minister to enter into 'conference and prayer at privat meetings'.¹¹⁷ While there is no direct evidence for Rutherford holding meetings outside the confines of the parish church, he certainly preached in several parishes in the locality, e.g., in the 1630s he preached at communion services in the vicinity of Anwoth, at Kirkcudbright and Kirkmabreck.¹¹⁸

An individual's attendance at services outwith their own parish and participation in private meetings did not in itself denote dissatisfaction with their parish ministry. The inhabitants of Kirkcudbright who came to hear John Livingstone preach at Borgue in 1626 were not seeking refuge from an unsatisfactory ministry, but were drawn rather to participate in a religious gathering. The 1620s and 30s also saw the emergence of a mobile, well-informed and interconnected religious community in the south-west. Leigh Eric Schmidt, documenting the impact of Scottish style communion seasons in eighteenth-century America, has commented on how sacramental seasons provided a sense of community in the scattered rural settlements of the frontier counties of Virginia and the south-eastern states.¹¹⁹ This argument can be read back into the forerunners of these seasons in south-west Scotland, in particular the concept of creating a community within a community, a gathering of the godly within society and, more importantly, within the church.

¹¹⁴ *Life of Livingstone*, 135-6.

¹¹⁵ *Life of Livingstone*, 139, 147-8, 157-9.

¹¹⁶ *Life of Blair*, 17-20.

¹¹⁷ Rutherford, *Letters*, 564; Coffey, *Samuel Rutherford*, 197-8.

¹¹⁸ Samuel Rutherford, *Fourteen Communion Sermons*, ed. A.A. Bonar (2nd edn, Glasgow, 1877), 7, 46.

¹¹⁹ L. E. Schmidt, *Holy Fairs: Scottish Communion Seasons and American Revivals in the Early Modern Period* (Princeton, 1989), 73-4, 94-100.

Many of these meetings had the overtones of religious revival,¹²⁰ most famously at Stewarton in Ayrshire 'where the Lord had a great work in converting many'.¹²¹ Intriguingly, the events at Stewarton utilised the economic structures of the local community:¹²²

As many of them as were able to travel went to the Monday market of Irvine went with some little commodities such as they had; but their chief intention was to hear the lecture that ended before the market began, and by their example many of that parish (their minister encouraging them to it) and out of other parishes went thither, whereby the power of religion was spread over that part of the country.

According to another account, 'By those week-day sermons, the famous Stewarton sickness was begun about the year 1630, and spread from house to house for many miles'.¹²³

The importance of informal religious networks and the role of sympathetic households in fostering itinerant ministries and private meetings was underlined by the involvement of women in these activities.¹²⁴ Sanctuary was offered to the itinerant preachers by Lady Kenmure, Lady Robertland and Lady Boyd.¹²⁵ Financial support was also forthcoming, as was provided to John Livingstone when he was deposed

¹²⁰ Several observers described the subscription of the National Covenant in parish churches in terms of religious revival, e.g., *Life of Livingstone*, 160. A similar description of the atmosphere in which the Covenant was subscribed is given by Archibald Johnston of Wariston, *The Diary of Sir Archibald Johnston of Wariston*, ed. G.M. Paul, i (SHS, 1911), 327-8.

¹²¹ *Life of Blair*, 19.

¹²² *Life of Blair*, 19.

¹²³ *Select Biographies*, ed. W.K. Tweedie, 2 vols. (Wodrow Society, 1845-7), ii, 8; J. Strawhorn, *The History of Irvine* (Edinburgh, 1989), 26; Lynch, 'Preaching to the Converted', 337-8, where he draws attention to the importance of local market centres in facilitating this process, 'it was the seventeenth century ... which saw the emergence of a new rural infrastructure of market centres in the forms of burghs of barony or regality, which must have provided a more efficient communications network not available to the first two or three generations of Protestant reformers', (338).

¹²⁴ For the women in Rutherford's circle see Coffey, *Samuel Rutherford*, 97-102.

¹²⁵ *Life of Livingstone*, 135-6, 147-8.

from the ministry in Ireland. The activities of the godly household were not merely restricted to hospitality: Lady Robertland offered spiritual counsel to those affected by the revival at Stewarton.¹²⁶ The part that women played in promoting religious dissent was both shaped by - and shaped - the nature of radical Protestantism. At the cutting edge of reform, Protestantism was very much dependent upon networks of support and patronage - whether support in material terms, money or places within the household; patronage by offering positions or parishes, or political support such as intercession with the king. It was the successful exploitation of these links which facilitated the organisation of religious opposition to Charles I. There is a direct comparison here with the survival of Catholicism after the Reformation for, just as it has been argued that Catholic recusancy drew its strength from within the Catholic household, the same was equally true of presbyterian radicalism. The activities of presbyterian and Catholic women offer clear parallels in terms of inculcating the faith within the family, as harbourers of domestic chaplains and as holders of household services. This similarity should not be surprising. While continuing Protestant reform and Catholic counter-reformation were both dependent upon effective leadership, their success also hinged upon the provision of an environment in which the movement could grow, clergy could be protected and links and networks forged.¹²⁷

These networks of religious contacts extended across a variety of social levels - ministers such as Rutherford and Livingstone had personal contacts extending from the nobility to burgesses, lairds and tenant farmers. The circle of Rutherford's correspondence and contacts was, in effect, a who's who of the radical south-west and reinforced these links across the locality. The sheer range of Rutherford's correspondence is instructive. It included ministerial colleagues from Ayrshire and Dumfriesshire and a wide range of the laity, ranging from nobles such as Cassillis and Loudoun, noblewomen such as Lady Kenmure and Lady Boyd, burgesses of Kirkcudbright and Ayr, substantial lairds including Alexander Gordon of Earlstoun and his family, down to tenant farmers such as John Gordon at Rusco. A series of letters survive from Rutherford to Colonel Gilbert Ker, one of the military leaders of the Army of the Western Association.¹²⁸ Livingstone's contacts in the south-west,

¹²⁶ *Select Biographies*, i, 347.

¹²⁷ See, e.g., A. Roberts, 'The Role of Women in Scottish Catholic Survival', *SHR*, lxx (1991); D. Stevenson, *King or Covenant? Voices from Civil War* (Edinburgh, 1996), 49-63.

¹²⁸ Rutherford, *Letters*, 649-63.

which exhibit a degree of overlap with Rutherford's, were equally varied. Livingstone was in close contact with nobles such as Viscount Kenmure, noblewomen including Lady Kenmure and Lady Robertland, an extensive network of Gordon lairds in the Stewartry of Kirkcudbright and burgesses in Ayr and Kirkcudbright. The long term significance of these overlapping networks of contacts lies in the fact that the undercurrents of religious dissent they represented were translated into political action in 1637. The ministry had forged contacts with covenanting nobles such as Cassillis, Loudoun and Eglinton well before the introduction of the service book, by correspondence, by meeting with them or via the nobility's support for them under persecution. The same was true of the lairds and burgesses of the south-west. Rutherford's contacts in Kirkcudbrightshire - the burgh elite of Kirkcudbright, Gordon of Earlstoun - would all be key supporters of the covenanting movement in south-west; some, such as William Glendinning of Kirkcudbright, would play a prominent role in national politics. Seventy-seven of Rutherford's correspondents signed the petition circulated in the presbytery of Kirkcudbright against the service book in 1637. All of the contacts named by John Livingstone from his visit to Kirkcudbrightshire also signed the petition against the service book; several would be stalwarts of the shire committee of war for Kirkcudbright.¹²⁹

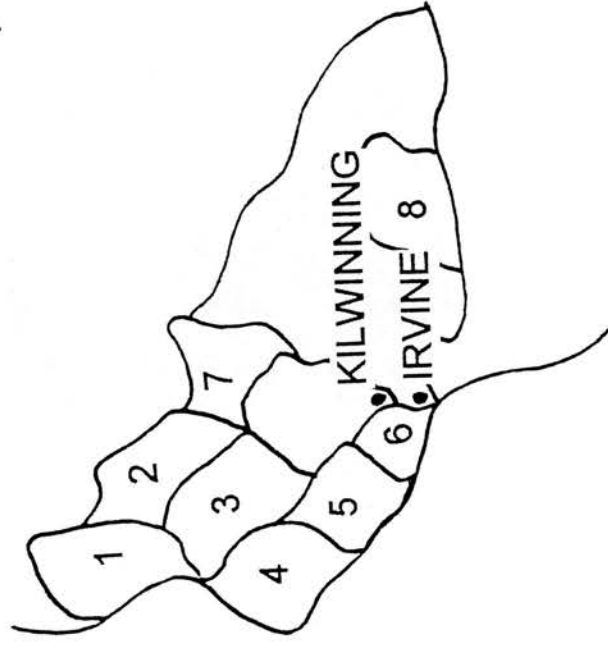
The way in which this co-operation between the ministry and the disaffected laity was mobilised is clearly illustrated in a letter from Robert Baillie to a ministerial colleague, in which he details the efforts to organise supplications against the service book from the parishes of the presbytery of Irvine and deliver them to Edinburgh in 1637.¹³⁰ Baillie's account underlines the importance of existing networks within the locality and how these were utilised to organise the opposition. He gives a graphic insight into the mechanisms by which covenanting opposition was organised so efficiently in the localities and transmitted to the centre. Baillie himself resolved to hold a meeting of his kirk session at Kilwinning to send a commissioner to Edinburgh with the supplication, a role which Lord Montgomery, Eglinton's son, volunteered to undertake. Baillie visited several of his ministerial colleagues in the locality, John Bell of Stevenson, Alexander Dunlop of Ardrossan and George

¹²⁹ Coffey, *Samuel Rutherford*, 41; *RPC*, 2nd series, vi, 709-715. The petition was signed by the town council and burgesses of Kirkcudbright, on behalf of the town of Minnigaff, by the ministers of the presbytery, by a number of Kirkcudbrightshire lairds and was circulated in the parishes of Kirkmabreck, Dalry, Kells and Balmaclellan, Crossmichael and Anwoth.

¹³⁰ Baillie, *Letters and Journals*, i, 13-14.

1. Largs
2. Kilbirnie
3. Dalry
4. Kilbride

5. Ardrossan
6. Stevenston
7. Beith
8. Kilmarnock



Parishes named in Robert Baillie's account of organising petitioning against the service book, 1637

Crawford of Kilbride, and asked them to approach their kirk session and contact the leading gentlemen of their parishes to support the supplication. For his part John Bell agreed to visit the minister of Dalry, Robert Bell, and write to James Fullarton of Beith, William Russell of Kilbirnie and Hew Eglinton of Dunlop to ask them 'to send the cheif gentlemen of their paroches with the Supplication'. George Crawford agreed to write to Thomas Craig of Largs, to ask him to invite Sir Robert Montgomery of Skelmorlie to carry that parish's supplication. Baillie himself wrote to the minister of Kilmarnock, Michael Wallace, to enquire into his intentions. Baillie also visited Cunningham of Cunninghamhead who agreed to deliver the supplication from Stevenson and take George Bell with him to Edinburgh. Cunninghamhead further agreed to visit Bryce Blair of that ilk to request that he accept the petition from Dalry and write to Cunningham of Caprington to deliver the petition from Dundonald. Finally, Baillie expressed his pleasure that Robert Montgomery of Hessilhead had been present in the parish of Beith on a Sunday to accept the parish's commission. Here was a clear indication of interconnection and co-operation between the ministers of the presbytery and their links and collaboration with the leading laymen in their parishes. Thus opposition could be effectively organised at a local level and, equally importantly, fed in to the national protest.¹³¹

Conclusion

Religious contacts created a context in which the religiously disaffected became acquainted with each other in the years before the revolution and provided much of the organisational impetus for the swift response to Charles's innovations in 1637. The translation into political action of these networks of the godly, reinforced by personal contact and correspondence and meetings for prayer and preaching, was crucial to the success of the covenanting movement and to the south-west's strong identification with it. The networks of contacts encouraged by Rutherford, Livingstone, Baillie and their colleagues were in effect gatherings of the future supporters of the Covenants and the personnel of the covenanting administration, for whom these meetings were potentially an embryonic vehicle of insurrection and certainly a protest against the prevailing trend of ecclesiastical reform.

¹³¹ The further involvement in the covenanting movement of the lairds mentioned in Baillie's account is analysed in more detail in chapter six below.

CHAPTER FIVE

Covenanters and Royalists: the Nobility of South-West Scotland

The peerage - those who had a right to sit in parliament by virtue of their title - is in many ways a rather artificial definition of nobility. As has already been observed, the distinctions between noble and non-noble in Scotland were imprecise and often blurred.¹ This has profound implications for any analysis of allegiances based upon social distinctions. Although the covenanting and royalist parties of the south-west included a wide diversity of social groupings, the covenanters in particular, to divide these parties according to social standing requires the imposition of artificial distinctions which do not necessarily correspond to the social and political reality of the locality. To take an example from the south-west in the 1640s. Viscount Kenmure, head of the extensive Gordon kindred, was a supporter of the king in an area where the majority of lairds, including his own relatives, were resolute and active covenanters. The royalist stance of Kenmure was of limited significance as his kinsman, Alexander Gordon of Earlstoun, a landholder of some stature, was able to provide an alternative figurehead for the Gordons of Kirkcudbright. Earlstoun could, therefore, be said to exist on that hazy line between noble or non-noble. However, given Earlstoun's intimate and active associations with the other Gordons in the locality, he is more appropriately considered with them in terms of analytical organisation.

This caveat aside, the peerage does have some rationale as an analytical group within which to evaluate allegiances in the south-west. The peerage constitutes a discreet group across which a complete analysis of allegiances is possible and, due to their social status, it was impossible for them remain uncommitted, although they may have tried to remain as inactive as possible. Arguably the peerage were the group which had most to lose by aligning themselves with the covenanters, yet a small number of committed covenanters attained greater power under the covenanting regime than they had under James VI and Charles I. The majority of peers in the south-west had been created or further elevated by James VI and Charles I and, on paper, the royalists peers outnumbered the covenanters. In practice, however, it was

¹ See chapter three above.

the covenanting peers who were active and dominant throughout the 1640s, acquiring position and power and sidelining the royalists, who were never really able to create a coherent party in support of Charles I.

There was one noble, the earl of Cassillis, who could perhaps be said to have lived up to a consistently high standard of covenanting purity. John Kennedy, 6th earl of Cassillis, who inherited the title in 1615, has been described as an 'unflinching covenanter'.² This is a particularly apt description as Cassillis was the most consistent of all the covenanting nobles in the south-west: active in the opposition to the service book in 1637-8, part of the covenanting administration throughout the 1640s, who raised regiments from his locality, lent money to the regime, opposed the Engagement in 1648, and constituted part of the radical administration of 1648-9. Although acquiescing with the proclamation of Charles II as king in 1649, Cassillis exhibited no great attachment to his cause and refused to participate in the Restoration settlement.³

Cassillis, who inherited the title while still a minor, was out of the country in 1620 as affairs on his estates were being conducted by commissioners for the earl 'now furth of the realme'.⁴ He received a licence to travel abroad in 1629 but does not appear to have taken advantage of it.⁵ The earl's links with the radical ministers date back to at least the 1630s. George Gillespie, a future member of the Westminster Assembly of Divines, served as a chaplain within Cassillis' household, and the earl was one of the nobles present at Gillespie's deathbed in 1648. Cassillis was an active member of the covenanting opposition from the outset, a signatory of the National Covenant and a member of the 1638 general assembly.⁶ It was not, however, necessarily obvious at this point that the earl would become one of the more zealous covenanters. At the commencement of hostilities, Robert Baillie, having previously regarded all

² K.M. Brown, 'A House Divided: family and feud in Carrick under John Kennedy, fifth earl of Cassillis', *SHR*, lxxv (1996), 196.

³ *Scots Peerage*, ii, 480.

⁴ NAS, Bannan and Finnart Muniments, GD60/45. Cassillis was not present in parliament in 1621 when the vote on the Five Articles took place.

⁵ *Scots Peerage*, ii, 478.

⁶ Cassillis was normally referred to as being one of the nobles present at meetings of those in opposition to Charles, e.g., John Spalding, *The History of the Troubles and Memorable Transactions in Scotland and England, 1624-45*, ed. J. Skene, 2 vols. (Bannatyne Club, 1824-29), i, 45.

opposition to the civil power as unlawful, came to believe that it was necessary and circulated a paper to that effect, which was also able to satisfy the scruples of the earl of Cassillis.⁷

This change of mind would be important as regiments were raised in Cassillis's name and from his estates for all of the covenanting armies except the Army of the Engagement.⁸ Cassillis was nominated as one of the lay commissioners to the Westminster Assembly in 1643, but did not, as is often claimed, attend the Assembly.⁹ Although Cassillis was in England in 1644, where his marriage contract was signed, it was in fact signed when he and Argyll visited the Army of the Solemn League and Covenant encamped near Newcastle.¹⁰ A considerable proportion of the Scottish nobility were to be found camped out in the north of England at this point in the war. This underlines the extent to which many of the nobles who served as colonels of regiments were not just figureheads but actually accompanied their regiments in the field. Although political duties were important and time-consuming for a noble such as Cassillis, he was at Duns Law with Leslie's army in 1639, present with his regiment for at least part of the campaign in the Second Bishops' War and with the Army of the Solemn League and Covenant on operations in Scotland.¹¹ It would appear that Cassillis was also able to command the support of his traditional locality in support of the Covenants. While the earl was, at least nominally, the colonel of all of the regiments raised in his name from the locality, many Kennedies served as officers in these regiments, who were either distant kin, dependants or servitors of Cassillis.

Cassillis showed no great enthusiasm for the efforts to secure the throne for Charles II. In 1658 he was invited to take up one of the four seats allocated to Scotland in the Cromwellian Upper House although, in common with his fellow nominees, he never took up his seat. The 6th earl of Cassillis survived the Interregnum to refuse to take the oath of allegiance in 1661 and was excluded from power. Cassillis's only son was

⁷ Baillie, *Letters and Journals*, i, p. xxxviii, 53.

⁸ E. Furgol, *A Regimental History of the Covenanting Armies, 1639-1651* (Edinburgh, 1990), 19-20, 45, 152-3, 152, 305.

⁹ For example, *Scots Peerage*, ii, 480.

¹⁰ NAS, Ailsa Muniments, GD25/5/2, no. 15c. The marriage contract was signed in Feb. 1644 at 'the Scottis Leaguer at Highton in Inglannd neir Newcastle'.

¹¹ Furgol, *Regimental History*, *passim*.

a minor in the 1640s and 50s, but continued the family tradition, voting against the act condemning conventicles in 1670, being heir, according to his brother-in-law, Bishop Gilbert Burnet, 'to his father's stiffness but not to his other virtues'.¹² The 7th earl of Cassillis experienced persistent difficulties due to his reluctance to suppress conventicles on his estates in the 1670s and 80s. As a result of financial penalties incurred in this respect and difficulty with recovering the sums of money advanced by his father to the covenanting movement (which were not declared a public debt until 1681), the 7th earl was forced to sell his Wigtownshire estates - a rare example of a noble putting principle above his bank balance!

The covenanting movement gave the earl of Cassillis the opportunity to exercise power on a hitherto unprecedented scale and to assume a national role commensurate with his position as a regional magnate. His significance to the covenanting movement also lay in his regional power, which he was able to mobilise in support of the regime. Although he showed an initial reluctance to enter into armed opposition to Charles, an ideological commitment to the covenanting cause and the religious ideals it embodied would appear to have motivated Cassillis' support for the covenanters, a conclusion which is reinforced by his almost unique unwillingness to compromise at the Restoration. Cassillis can also be seen as an example of a noble who was increasingly forced to assume a more radical stance in reaction to the pressure of events, whether in response to the commencement of hostilities with Charles I or the military campaign in support of the king in 1648. Cassillis' position was analogous to that taken by Alan, 6th Lord Cathcart. Cathcart, whose main estates lay in Renfrewshire but also held extensive lands in north Ayrshire, was another consistent covenanter and an opponent of the Engagement. His father, the 5th Lord Cathcart had voted against the Five Articles in the 1621 parliament.¹³ Lord Cathcart dissented from the Restoration settlement in a similar fashion to Cassillis, although Cathcart was the only member of the nobility who voted against the suppression of presbyterianism in 1661.

Alexander Montgomery, 6th earl of Eglinton, was a close associate of Cassillis in the elite circle of convinced covenanting nobles and had a virtually identical political

¹² G. Burnet, *History of My Own Time*, ed. O. Airy, 2 vols. (Oxford, 1897-1900), i, 523-4.

¹³ *Scots Peerage*, ii, 516-8; David Calderwood, *History of the Church of Scotland*, ed. T. Thomson, 8 vols. (Wodrow Society, 1842-9), vii, 499.

experience during the late 1630s and the 1640s. Eglinton did differ from Cassillis in one key respect, which serves to underline how just how radical Cassillis' stance became in comparison with his peers. Eglinton did not support the Engagement on behalf of Charles in 1648 but, in common with most other covenanters, his attitude changed in reaction to Charles's execution. Eglinton and his sons fought on behalf of Charles II and the earl spent the years of the Interregnum imprisoned in England.

The 6th earl of Eglinton inherited the title in 1612 from his cousin. The 6th earl was the third son of Robert Seton, 1st earl of Winton, and his wife, Margaret Montgomery, the daughter of the 3rd earl of Eglinton. Eglinton was retoured heir to his cousin in 1612 and adopted the surname of Montgomery in preference to Seton. He did, however, experience difficulty in fully entering into his estates, having to purchase the barony of Kilwinning from Lord Balfour. Kilwinning, a former ecclesiastical property, had been in the possession of the earls of Eglinton but was declared to be in the king's hands after the 5th earl's death and granted to Balfour. Eglinton's assumption of the title itself was opposed by James VI, partly on the grounds that the title had been transferred as a result of entail. His kinsman, Chancellor Alexander Seton, 1st earl of Dumfermline, was active on his behalf claiming 'that in his lyf never any thing trublit him more than his Maiesties offense at that busines of Eglintoun'. Dumfermline's correspondence also suggests that Eglinton felt that, if as was suggested, he received the earldom as a new creation it would have been damaging to his prestige.¹⁴ The matter was resolved in 1615 when Eglinton received a charter recognising him as earl and erecting all of his lands into the earldom of Eglinton.¹⁵

Eglinton entertained James VI in Glasgow during the king's visit in 1617 and attended James's funeral in 1625, as well as participating in the ceremonies at Charles I's Scottish coronation.¹⁶ He did, however, vote against the Five Articles of Perth in 1621 and was an active covenanter from the outset who played a very similar role to Cassillis, participating in the covenanting administration and in the raising of regiments; Eglinton was present at Marston Moor and with the parliamentary forces

¹⁴ *Ecclesiastical Letters*, ii, 352.

¹⁵ W. Fraser (ed.), *Memorials of the Montgomeries, Earls of Eglinton*, 2 vols. (Edinburgh, 1859), i, 62-3.

¹⁶ Balfour, *Works*, ii, 117-8; *Scots Peerage*, iii, 445.

at the siege of York.¹⁷ Eglinton also had a close association with the young covenanting 2nd earl of Buccleuch as his second wife was the daughter of Walter, Lord Scott of Buccleuch and the earl's sister. As the example of Eglinton and Buccleuch shows, the extent to which family relationships impacted on political factionalism were governed by the way in which these relationships were used as a conduit of influence and advice.¹⁸ It was not the closeness of the relationship which mattered, but the extent to which it was utilised.

Like Cassillis, Eglinton had also had close links with the future covenanting ministers, links which he himself viewed as having had a direct influence upon his political stance.¹⁹ Eglinton's religious attitudes had not always been so clear. Robert Bruce wrote to Anna Livingstone, countess of Eglinton, in 1629, urging her to pray for her husband as 'suppose ye be unequallie yoked, it is for yowr gude and for yowr humiliation'.²⁰ In the wake of the revival at Stewarton, 'The Countess of Eglinton did much countenance them [those affected by the revival], and persuaded her noble lord to spare his hunting and hawking some days, to confer with some of them whom she had sent for to that effect. His lordship after conference with them, protested he never spoke with the like of them; he wondered at the wisdom they manifested in their speech'.²¹ The countess had an extensive correspondence with various ministers, including Josias Welsh. John Livingstone described the countess - one of the noblewomen who had financially supported Livingstone when he was temporarily

¹⁷ Fraser (ed.), *Memorials of the Montgomeries*, i, 69-70.

¹⁸ Francis Scott, 2nd earl of Buccleuch, was born in December 1626 and raised a force from his estates in the eastern borders for the Whiggamore Raid in 1648 and was a member of the radical parliamentary regime of 1649. Buccleuch, for example, wrote to his sister, the countess of Eglinton, in 1644, at which time he was with Eglinton and the army encamped near Durham. Eglinton shared Buccleuch's apprehensions about the possibility of the restoration of the former estates of the earl of Bothwell, which would have severely disadvantaged him, Fraser (ed.), *Memorials of the Montgomeries*, i, 266. An example of this type of relationship within a royalist context was the association of John Hamilton, 1st Lord Bargany, with Hamilton in the Engagement as Bargany's father was the illegitimate son of the 1st marquess of Hamilton, *Scots Peerage*, ii, 28.

¹⁹ See above.

²⁰ Fraser (ed.), *Memorials of the Montgomeries*, i, 223-4.

²¹ *Life of Blair*, 19.

deposed from his ministry in Ireland - as one who 'although bred at court, yet proved a subdued and eminent Christian, and an encourager of piety and truth'.²²

Four of Eglinton's sons participated in the wars of the Covenants: Alexander served in the army in Ulster until his death in July 1642, while Robert enjoyed an active and distinguished military career throughout the 1640s, as did James.²³ Eglinton's eldest son, Hugh, Lord Montgomery, who succeeded his father as 7th earl in 1661, began his political career as a convinced covenanter who attended the 1638 general assembly and commanded regiments in the First and Second Bishops' Wars. By 1642, however, Montgomery was reassessing his loyalties and signed the document which would become known as the Banders' Petition and was described as 'first a strong covenanter, and now left the samen'.²⁴ Robert Baillie's concern over Montgomery's defection from the cause was expressed in a letter to him in 1642.²⁵

At the first, manie whispered, now all proclaimes, that your Lordship, who had purchased latelie more love and honour in all Scotland, for your zeall and happie paines in the good cause, than anie of your age, are now clean changed; that evidentlie, in your discourses with everie one, and in your actions, yow syde with those, whom all good men, to this day, and yourself, were wont, before this voyage, to take for evill instruments, such as Montrose, Mortoun, William and Mungo Murrays; on the contrare to be averse from those whose labours God hes blessed to save our poor land, to your knowledge, from imminent ruine, such as are Argyle, etc.

Lord Montgomery wrote to his father in November 1643 to explain that he had not yet subscribed the Solemn League and Covenant 'by resson I have sum scrupuls'.²⁶ In 1631 Lord Montgomery had married Anne Hamilton, daughter of the 2nd Marquess of Hamilton, and, while this marriage may be seen as having brought him into the orbit of a prominent royalist family, she had survived their marriage by little more than a year and he had remarried in 1635. His second marriage was to Mary Leslie, eldest daughter of John Leslie, 6th earl of Rothes, a prominent opponent of Charles I. Rather than being motivated by family connections, Montgomery would appear to

²² *Livingstone's Characteristics*, in *Select Biographies*, ed. W.K. Tweedie, 2 vols. (Wodrow Society, 1845-47), i, 347.

²³ Fraser (ed.), *Memorials of the Montgomeries*, i, 74-8; *Scots Peerage*, iii, 446-50.

²⁴ Spalding, *History of the Troubles*, i, 49.

²⁵ Baillie, *Letters and Journals*, ii, 35.

²⁶ Fraser (ed.), *Memorials of the Montgomeries*, 262.

been experiencing similar doubts to those expressed by Montrose. Having initially seen the cause as legitimate, he was becoming increasingly concerned over the escalation of the conflict and the way in which Charles was being treated. Lord Montgomery was associated with Montrose in negotiations with the king in 1643 but, while he ceased to be involved in covenanting movement, his active support for the king was limited. In 1646 the committee of estates declared that he was free from the taint of malignancy.²⁷ Montgomery supported the Engagement and, in June 1648, his wife wrote to his brother James, to urge him to persuade his brother of the folly of the Engagers as 'I pray to God to lat your brother sie ther weicked intentions, and save him from ther punishment'.²⁸ Although Montgomery was appointed as a colonel in the Army of the Engagement, he managed to avoid actual military activity and was rehabilitated by the radical covenanting regime. It was, however, the strength of Lord Montgomery's connections among the radical covenanters that ensured his protection. Montgomery's defection to the king was unlikely to be a tactical move on the part of the family as the family correspondence which referred to his royalism indicated a genuine regret at his actions. John Seton wrote to the earl of Eglinton in 1645, expressing his disgust with the malignants.²⁹

well God will find them out, and reward them in His own good time; amongst which, to my great regrate, the general worde goeth that my Lord Montgommerie is accoumpted one. I houpe it is not so; and that he will follow the footsteps of his ever honoured father ... Indeed your sone Robert is caried with ane other sprit, as I heare, and so I houp God will bliss him the better

The Engagement had seen Eglinton and his eldest son on different sides; Charles II reunited the family. Unlike Cassillis, Eglinton and his family were prominent supporters of Charles II, apparently sharing a stronger attachment to the idea of monarchy and the respect due to the king's person. Eglinton was imprisoned for the duration of the Interregnum as a result of his support for the king. The rehabilitated Lord Montgomery fought at Worcester and was also imprisoned. Robert, who had resigned his commission rather than support the Engagement, joined his brother at Worcester. He too, spent much of the Interregnum incarcerated.³⁰ Hugh, who

²⁷ Baillie, *Letters and Journals*, ii, 67; Fraser (ed.), *Memorials of the Montgomeries*, i, 295.

²⁸ Fraser (ed.), *Memorials of the Montgomeries*, i, 288.

²⁹ Fraser (ed.), *Memorials of the Montgomeries*, i, 276.

³⁰ *Scots Peerage*, iii, 446-51.

succeeded his father as the seventh earl of Eglinton in 1661, did in the end gain some advantage from the Cromwellian occupation of Scotland. As a reward for his loyalty to Charles II and in recompense for the losses he had incurred, Eglinton was granted the area formerly occupied by the Cromwellian citadel in Ayr in 1663, erected as the free barony and burgh of Montgomerieston.³¹

The third major covenanting noble in Ayrshire differed from Eglinton and Cassillis in that his history of active dissatisfaction with royal policies long predated 1637.³² John Campbell of Lawers, 1st earl of Loudoun, was one of the nobles who incurred Charles's displeasure by journeying to London in 1626 with the petition against the revocation, at which 'His Maiestie stormed at their petition, as of too heigh a strain for subjects and petitioners'.³³ Loudoun was, however, among the minority of holders of hereditary offices who attempted to negotiate their surrender as a result of the act of revocation.³⁴ A patent was issued in 1633 for his elevation as earl of Loudoun, but was revoked as a result of his stance in the parliament of 1633, and was finally granted as part of the package of concessions made by Charles I in 1641. Loudoun was one of the most active and vocal covenanters who was, for example, vocal in the 1638 general assembly, which he attended as a ruling elder from the presbytery of Irvine, and was responsible for many of the speeches and documents issued on behalf of the covenanters.³⁵

Appointed as chancellor in 1641, the covenanting years saw Loudoun acquire office and material benefits. Loudoun was one of the nobles who negotiated the Engagement with Charles and was briefly associated with the Engagers, at which juncture Balfour claimed that he 'played notoriously with bothe handes'.³⁶ In 1649 parliament confirmed to him a number of grants, the changing of his lands from ward and relief to blenche ferme, the gift for life of the office of sheriff of Ayr and the gift to him and his heirs of the bailiary of Kyle. Throughout the period he was intimately associated with the earl of Argyll and, for Loudoun, the covenanting movement

³¹ *RMS*, xi, 506.

³² *Scots Peerage*, ii, 517-8.

³³ Balfour, *Works*, ii, 153. He was accompanied by the earls of Linlithgow and Rothes.

³⁴ See chapter three above.

³⁵ Fraser (ed.), *Memorials of the Montgomeries*, i, 66; Balfour, *Works*, ii, 240-6.

³⁶ Balfour, *Works*, iii, 394.

undeniably offered a vehicle for the exercise of power by an ambitious noble. Somewhat speciously Loudoun stressed his loyalty to the monarchy at the Restoration and expected Charles II to honour pensions granted to him, arguing that he had supported the recent legislation concerning the royal prerogative.³⁷

In some respects the career of William Cunningham, 8th earl of Glencairn, who inherited the title in 1635 and held it until his death in 1664, is difficult to quantify. He could be described either as a pragmatic royalist or a conservative covenanter. Glencairn was, however, associated with the covenanting movement from the outset and, although he was moderate in his opposition to Charles - he opposed the sending of the army into England in 1643, for example - he remained associated with the covenanters and did not engage in any openly royalist activities until 1647-8. Glencairn was married to the eldest daughter of the 6th earl of Eglinton, which may have cemented the association between the two magnates in the early covenanting years. Whereas Loudoun was a covenanter who briefly flirted with supporting the king in 1648, Glencairn was at best a reluctant covenanter, for whom the Engagement provided a more congenial political home.³⁸ Glencairn was one of the instigators of the unsuccessful military action in support of Charles II in 1653.

As the example of Eglinton and his eldest son indicates, members of the same family did not always take the same attitude towards the covenanting movement. Robert MacClellan of Bombie was honoured as Lord Kirkcudbright in 1633. Kirkcudbright, who had voted for the Five Articles of Perth in the 1621 parliament, benefited from royal favour, obtaining his title and grants of land in Ireland. He died in 1639 and was succeeded by his nephews, Thomas, 2nd Lord (1639-47) and John, 3rd Lord (1647-65). Both were consistent covenanters: the 2nd Lord was appointed as steward of Kirkcudbright after Nithsdale's forfeiture in 1644-5, while his cousin was part of the radical covenanting regime of 1648-9.³⁹ The 3rd Lord Kirkcudbright took the

³⁷ R. Lee. 'Retreat from Revolution: The Scottish Parliament and the Restored Monarchy, 1661-1663', in J.R. Young (ed.), *Celtic Dimensions of the British Civil Wars* (Edinburgh, 1997), 196.

³⁸ *Scots Peerage*, iv, 247-8.

³⁹ *Scots Peerage*, v, 266-9; Furgol, *Regimental History*, 150, 294.

extreme measure for a member of the nobility of supporting the Protestation against the relaxing of the Act of Classes in 1650.⁴⁰

John Gordon of Lochinvar was created 1st Viscount Kenmure by Charles in 1633. Kenmure, who died in 1634, had close links with radical ministers, being 'bred in Mr [John] Welsh's House' and was associated with John Livingstone and George Gillespie.⁴¹ Robert, 4th Viscount Kenmure, favoured the king and raised a troop of horse from Wigtownshire and Kirkcudbrightshire in the Engagement and participated in Glencairn's rising in 1653.⁴² Another example of a family with a history of links with the radical ministry who nevertheless supported the king is provided by the Boyds of Ayrshire. Robert, 8th Lord Boyd, was the son of the godly Lady Boyd who was described by John Livingstone as 'A rare pattern of Christianity, grave, diligent and prudent'.⁴³ Lord Boyd was an early supporter of the protest against the service book and one of the nobles who ascended the mercat cross in Edinburgh in February 1638 to protest against the royal proclamation approving the service book. He commanded a regiment raised from Ayrshire in the First and Second Bishops' Wars. Boyd, however, subscribed the royalist Cumbernauld Bond in August 1640; it was, in fact, Boyd who revealed the Bond's existence upon his death bed later that year. His subscription of the Bond may be explicable in view of his marriage to Wigton's daughter, at whose house in Cumbernauld the Bond was first subscribed. He was succeeded by his son James, 9th Lord Boyd, a steadfast supporter of the king who was excluded from public office as a result of his royalist sympathies between 1644 and 1648.⁴⁴

Two families in the south-west were noted for their early support of the covenanters which was later superseded by their equally strong support for Charles. The decisions taken by John Fleming, 2nd earl of Wigton, and his eldest son, John, Lord Fleming, underline how the importance of religious influences could be overshadowed by the

⁴⁰ D. Stevenson, *Revolution and Counter Revolution in Scotland, 1644-51* (London, 1977), 104; J.R. Young, *The Scottish Parliament, 1639-61* (Edinburgh, 1996), 202.

⁴¹ *History of Mr John Welsh*, in *Select Biographies*, ed. W.K. Tweedie, 2 vols. (Wodrow Society, 1845-47), i, 41.

⁴² Furgol, *Regimental History*, 281.

⁴³ *Livingstone's Characteristics*, 347.

⁴⁴ Furgol, *Regimental History*, 19, 43; *Scots Peerage*, v, 171-3; E.J. Cowan, *Montrose: For Covenant and King* (London, 1977), 97-8. Boyd was one of the nobles who actually subscribed at Cumbernauld.

even more compelling issue of loyalty to the king. The earls of Wigton had a long history of close association with the presbyterian ministry. It was perhaps an early indication of this that Lord Fleming wrote to James in 1606, shortly before he was created earl of Wigton, in response to rumours of his 'scrupulous judgement in this intenditt erection of Bischopis' and assured James of his loyalty and willingness to support whatever the king intended.⁴⁵ John Livingstone claimed that the wife of the 1st earl of Wigton suggested that he be called John, as it was the name of her father, husband and son.⁴⁶ John Fleming, 2nd earl of Wigton, inherited the title on his father's death in 1619 and continued the link with Livingstone and other dissident ministers. His wife - 'a most devout woman, and pious lady'⁴⁷ - supported Livingstone financially and Wigton was one of the nobles who wrote testimonies on behalf of Livingstone and Robert Blair when they were being prosecuted by the Irish episcopate on the grounds of non-conformity.⁴⁸ Livingstone took refuge in the household of the earl of Wigton and his wife, 'the rare Countess of Wigtoun', at Cumbernauld, for nearly two and a half years, between 1628 and 1630. The offer was made because 'their home was six miles from their paroch church, and severall of their tennents about might come to hear sermon in their house ... that I would stay with them, and at least in the winter time preach in the hall of Comernald to the family and such as came, until another occasion of employment offered.'⁴⁹ Wigton and his son, Lord Fleming, were present at Livingstone's wedding in 1635, an act of some significance as Livingstone had by this point been deposed from his Irish ministry due to his nonconformity.⁵⁰

His religious proclivities aside, Wigton was active in public life and a member of the privy council who attended its meetings with some regularity. The earl's position was somewhat ambiguous at this juncture since, as a member of the privy council, he was also responsible for the suppression of the anti-prayer book activity and put his name to documents issued for that purpose. Yet he also sent a letter to be read aloud in public session at the 1638 general assembly which affirmed 'that he subscribed to the confession of religion, in doctrine and discipline, as it was in 1580, and that he would

⁴⁵ *Ecclesiastical Letters*, i, 34.

⁴⁶ *Life of Livingstone*, 131.

⁴⁷ *Livingstone's Characteristics*, 339.

⁴⁸ *Life of Livingstone*, 146, 148.

⁴⁹ *Life of Livingstone*, 131, 137.

⁵⁰ *Life of Livingstone*, 152.

defend the same with his bloode'.⁵¹ This was in reference to his subscription, in common with other members of the privy council, of the so-called King's Covenant, the Negative Confession of 1581, which was incorporated into the National Covenant itself. Wigton was, however, attempting to present his subscription of it as support for the religious ideals of the National Covenant.

Wigton's relationship with the covenanting administration was initially ambivalent - he was a member of the committee of estates in 1640 and was accepted as one of the king's nominees on the reconstituted privy council of 1641. He was, however, increasingly identified as a supporter of the king and associated with his cousin, James Graham, marquess of Montrose. Wigton and his son received several letters from Charles I with respect to their support for the royalist cause in Scotland. Charles wrote to Wigton from Oxford in 1644:⁵²

Wigton, I have written to you formerlye from Oxford by Montrose, requiring your assistance in those thinges which hee should impart unto you concerninge my service, which I make noe doubt but you will thoroughlye obey: notwithstandinge I have thought fitt to express unto you, in this particular way, the opinion I have of your power and usefullnesse to my service, and to encourage you in it by givinge you confidence that I am your assured freinde.

Both Wigton and Lord Fleming signed the Cumbernauld Bond, first subscribed at Wigton's seat, Cumbernauld House, in August 1640. Wigton played little part in the wars of the 1640s, but Lord Fleming commanded troops in the armies of the First and Second Bishops' Wars, for which he was claiming financial relief in 1646, for the expense of 'reicking himself ane colonell at the first two expeditions' and for purchasing weapons and paying his wages of his regiment.⁵³ Fleming defected to the side of the king thereafter and was with Montrose at Philiphaugh, with the result that the family ceased to play any active part in public affairs after the defeat at Philiphaugh in 1645. After this date the Fleming family experienced greater difficulties in their dealings with the covenanting regime and were subject to

⁵¹ *Records of the Kirk of Scotland, containing the Acts and Proceedings of the General Assemblies, from the year 1638*, ed. A. Peterkin, 2 vols. (Edinburgh, 1838), i, 45.

⁵² 'Royal Letters and Instructions and other Documents from the archives of the Earls of Wigton', *Maitland Miscellany*, ii, pt. 2 (Maitland Club, 1840), 434-5.

⁵³ 'Wigton Letters', 445-7.

financial penalties.⁵⁴ Lord Fleming was ordered to repair to his own house in February 1646 and threatened with a sizeable fine. Later that year he was ordered to pay a fine of £6,400, which he professed himself unable to pay due to his lack of resources. Fleming claimed to possess only a small allowance 'quhilk is allowed upon him be his father for keeping his purse and buying his cloathes'.⁵⁵

There were considerable similarities between the stance taken by Wigton and Lord Fleming and that taken by James Johnstone, 1st Lord Johnstone, although their motivations may have been divergent. Johnstone was perhaps the loser in the race for ennoblement in the south-west in the early decades of the seventeenth century. Although he had been raised to the peerage as Lord Johnstone in 1633 he was unhappy with this title, perhaps understandably given Lord Maxwell's elevation as earl of Nithsdale and the creation of John Murray of Lochmaben as earl of Annandale.⁵⁶ Lord Johnstone was a member of the 1638 general assembly who subscribed the National Covenant and ensured that his tenants did likewise. Johnstone raised a regiment in the First Bishops' War but he also signed the Cumbernauld Bond. Although he initially repudiated the Cumbernauld Bond, Johnstone became a supporter of the king and associated himself with Montrose. Whether Johnstone was more swayed by the £29,000 still owed to him for his regiment or by Charles's timely grant of the title of earl of Hartfell in 1643 is anyone's guess.⁵⁷ He was imprisoned in Edinburgh Castle in 1644 for his alleged complicity in Montrose's capture of Dumfries and obliged to find caution in the amount of £10,000.⁵⁸ Despite this, he was with Montrose at Philiphaugh in 1645 and later petitioned parliament for clemency, acknowledging his prior malignancy.⁵⁹

The remaining royalist nobles in the south-west - Dumfries, Galloway, Nithsdale and Annandale - can be loosely categorised as courtier nobles, as they had either received advancement due to service at court or had close connections with the court.

⁵⁴ 'Wigton Letters', 444-7; W. Hunter, *Biggar and the House of Fleming* (Edinburgh, 1867), 233, 552.

⁵⁵ 'Wigton Letters', 446.

⁵⁶ *Scots Peerage*, i, 256.

⁵⁷ *Scots Peerage*, i, 254-9, 267-8; W. Fraser, (ed.), *The Annandale Family Book of the Johnstones*, 2 vols. (Edinburgh, 1894), i, pp. clxxx-cxcix.

⁵⁸ Balfour, *Works*, iii, 116, 241.

⁵⁹ *APS*, vii, 277; Balfour, *Works*, iii, 328; Cowan, *Montrose*, 235.

Alexander Stewart, Lord Garlies was created earl of Galloway in 1623. He had voted for the Five Articles in the 1621 parliament and had connections with the English nobility as his eldest son married the daughter of the earl of Nottingham.⁶⁰ Galloway and his younger son James, who would succeed him as 2nd earl, supported Charles throughout the 1640s. The 2nd earl's support for the king was recognised at the Restoration, when he was rewarded for his having been 'most rigorously used by the pretendit Authority of some unnaturall Cuntriemen who ruled for the time'.⁶¹

William, 9th Lord Crichton of Sanquhar, created Viscount Ayr by James in 1622 and earl of Dumfries by Charles in 1633, also had extensive contacts in England but was a member of the Scottish privy council and was one of the nobles involved in the implementation of royal policy in Scotland. He also supported the king but, by the time of his death in 1642, was financially ruined and obliged to dispose of the bulk of his estates.⁶² While Wigton had been accepted by the covenanters as one of king's nominees to the privy council in 1641, Charles's nomination of Dumfries and Galloway was rejected. The earl of Dumfries, in particular, had been tainted by association with unpopular royal policies due to his previous service as a privy councillor.⁶³

Robert Maxwell, 1st earl of Nithsdale was the most notorious royalist in the southwest, who garrisoned his castles of Caerlaverock and Threave against the covenanters in 1640. Like the earls of Dumfries and Galloway, his English connections were important to Nithsdale: in 1619 he married Elizabeth Beaumont, the daughter of the duke of Buckingham's uncle. Crown patronage was the key to Nithsdale's success and he continued to enjoy royal favour under Charles I and, by virtue of his Catholicism, was part of the circle around Henrietta Maria. Nithsdale also had connections with other Catholics and nobles who owed their loyalty to the king. In 1626, in the context of the atmosphere of unrest occasioned by Charles's revocation and the other policies which surrounded his accession to the throne, the marquess of Huntly wrote to Nithsdale, to advise him that 'gif onie in this kingdom wald brag, as your lordship wretis to me, to rebell againis his Majestie, I sall find als mony faithful subjects of his Majestie's, quha ar of my freindchip, quha sall dantun thair pryde'. Huntly also asked

⁶⁰ Brown, 'Courtiers and Cavaliers', 177; *Peerage*, iv, 159-60.

⁶¹ *APS*, vii, 385.

⁶² Brown, 'Courtiers and Cavaliers', 176; *Scots Peerage*, iii, 233-4.

⁶³ Balfour, *Works*, iii, 126.

Nithsdale to commend him to Buckingham.⁶⁴ It was Nithsdale who encouraged Charles to adopt a military solution to the opposition to the prayer book in Scotland and he supported Montrose in his plan to attack Dumfries in 1644. Virtually all of the members of the extended Maxwell family followed Nithsdale's lead and supported the king in the 1640s. John Maxwell, Lord Herries, fled to Carlisle in 1639 and his house of Terregles was plundered by covenanting forces. Herries was fined by the covenanting regime for joining with Montrose in his capture of Dumfries and was with Charles in England thereafter. The Scottish estates fined him for malignancy in 1647, which was to be paid to Lord Kirkcudbright to defray the expense of raising his covenanting regiment.⁶⁵

John Murray of Lochmaben was the younger son of a Dumfriesshire laird, Sir Charles Murray of Cockpool. He began his career as a groom of the chamber as a young man and served James VI for two decades in that capacity before travelling to London with the king in 1603. Murray retained his position in the king's bedchamber and, in addition to exercising considerable influence as a result of his proximity to the monarch, obtained significant material advantage from his position.⁶⁶ He acquired extensive properties in the south-west, as well as in England and Ireland and, in 1622, he was raised to the peerage as Viscount Annan. In 1624 he was further honoured as earl of Annandale.

Annandale's status derived primarily from his closeness to the king and the extensive network of correspondence he engaged in as a result. A picture of the breadth of Annandale's correspondence is represented by the letters in a collection of seventeenth-century letters relating to ecclesiastical matters, which indicate an extensive correspondence with, among others, six of the bishops, the chancellor and Lord Binning.⁶⁷ Annandale himself exploited his contacts in Scotland in order to bolster his prestige.⁶⁸ He was, for example, nominated as the official correspondent of the Scottish episcopate at the court, 'to deale with his Maiestie for burdening yow

⁶⁴ *The Miscellany of the Spalding Club*, 3 vols. (Aberdeen, 1846), iii, 217.

⁶⁵ *APS*, vii, 345.

⁶⁶ British Library, Add MSS 12, 497, *Gifts to Scotsmen Since the King's Coming*, 1610.

⁶⁷ *Ecclesiastical Letters*, vol ii, *passim*.

⁶⁸ M. Lee, 'James VI's government of Scotland after 1603', *SHR*, lv (1976), 47.

with our affaires'.⁶⁹ In 1612 the bishops requested that Annandale 'sould remane our Agent and Mediatour with the Kings Maiestie, and that Sir James Sempill sould only be the receaver of our letters: Alwayis we think that ye may be fund more constantlie about the King than he'.⁷⁰ Despite the breadth of his interests and the fact that he was largely an absentee landlord, Annandale remained interested in his Scottish estates.⁷¹ He also continued to invest in his Scottish properties. Annandale inherited the estates of his brother Richard, including the lands and tower of Hoddum, which he remodelled and extended.

Conclusion

A bewildering array of political choices were available to the higher nobility of south-west Scotland in the 1630s and 40s. This said, there was a remarkable degree of stability in the attitudes of the nobility towards the unfolding events. Up until 1650, the majority of the nobility in the south-west consistently supported either the king or the Covenants. At opposite ends of the spectrum were those who unwaveringly adhered to an extreme position, such as Cassillis and Nithsdale. Not all of their associates shared the level of conviction exhibited by these nobles, but comparatively few actually re-evaluated their allegiances. Thus, even within the ranks of the nobility, the Engagement did not see a widespread change of opinion in the south-west, rather a redistribution of power as the royalists regained their influence. With the exception of Loudoun's flirtation with the Engagement and the defection of the earl of Glencairn to the royalists in 1648, the key period in which the nobility of the south-west reassessed their loyalties lay between the signing of the Cumbernauld Bond and the beginning of Montrose's campaign, i.e., their doubts were provoked by the continuing opposition to Charles I, especially in the wake of the constitutional settlement of 1641, and the agreement with the English parliament in 1643. This was the period in which Lord Boyd, Lord Montgomery, Lord Johnstone, the earl Wigton and Lord Fleming all disassociated themselves from the covenanters. They were not necessarily opposed to expressing discontent with the policies of Charles, but they were opposed to continued conflict with the king.

⁶⁹ *Ecclesiastical Letters*, i, 299.

⁷⁰ *Ecclesiastical Letters*, i, 296.

⁷¹ *Ecclesiastical Letters* ii, 348, 451.

The individuals considered here suggest a number of contexts in which the origins of allegiance can be assessed. For nobles such as Cassillis and Loudoun, the covenanting revolution offered a chance to exercise power on a previously unimaginable scale; for royalists such as Dumfries and Nithsdale it meant a curtailment of the power and influence they had been able to enjoy under Charles. Undoubtedly, the way in which they were able to gain and retain power as part of the covenanting movement was a powerful motivating factor for supporters of the Covenants, as was the extent to which they were able to gain personal and financial advantage from their involvement in the covenanting movement. In 1637, however, no one could have imagined the course which events would take or envisaged the extent which the conflict with the king would extend. Thus the 1640s would also see many individuals reacting to the pressure of events, whether this would push them into ever more radical patterns of behaviour or lead them to support the king. Family relationships were important in defining political loyalties, but only when contemporaries exploited them for that purpose.

This does not undermine the importance of ideological factors, among which religious views and attitudes towards the king were paramount. Religious pedigree was not, however, a clear indicator of political allegiance. Cassillis and Eglinton were influenced by their contacts with radical ministers which led them to support the protest against the service book in 1637 and helped to reinforce their commitment to the Covenants throughout the 1640s. For the Catholic Maxwells, supporting the king was the only viable option. Other nobles, such as Wigton, were able to put aside their godly associations as this was superseded by their loyalty to Charles I. Perhaps the most important factor which determined the allegiances of the nobility of south-west Scotland was, therefore, one of the most subjective - their attitude to the monarch. This was the issue which separated the earl of Eglinton and his eldest son in 1642. As Keith Brown has pointed out, 'The great majority of courtiers and their families remained remarkably loyal to the king throughout the troubles which followed'.⁷² For nobles such as the earl of Nithsdale, loyalty to the king was the overwhelming factor; this was also true for Annandale, Dumfries and Galloway. For the 2nd earl of Wigton and his son, despite their links with the presbyterian ministry, it was loyalty to Charles which led to their support of him. Nobles such as Cassillis

⁷² K.M. Brown, 'Courtiers and Cavaliers: Service and Anglicisation and Loyalty among the Royalist Nobility', in J. Morrill (ed.), *The Scottish National Covenant in its British Context* (Edinburgh, 1990), 158.

and Eglinton were distinctive in that their underlying beliefs and their lack of trust in Charles I enabled them to separate the loyalty to the concept of monarchy from the determination to be loyal to a specific monarch.

The Gentlemen and Burgesses of South-West Scotland

Although, at least numerically, the royalist peers of the south-west dominated their covenanting neighbours, outside the ranks of the peerage the picture was very different. The existence of a large number of committed, active, and often radical, non-noble covenanters in the south-west was important for a number of reasons. The burghs of south-west Scotland and networks of disaffected lairds had played their part in opposing the policies of James VI and Charles I and contributed to the events of 1637 and 1638.¹ Thereafter, the covenanters created new and comprehensive bureaucratic systems which needed to be staffed at both central and local level. One of the distinctive features of the covenanting movement as a whole was the increasing role played in government by lairds and burgesses and, in particular, by those lairds and burgesses who embraced the more radical aspects of covenanted politics. It has been observed that, by the end of 1641, 'Radical nobles combined with the ... gentry and burgesses to form a caucus which appears to have been controlling the proceedings of parliamentary session and interval committees'.² As the 1640s progressed and supporters of the king were increasingly excluded from political life, lairds and burgesses from the south-west began to play an even more active role in parliament and on the committees and administrative structures of the covenanting movement, reflecting a shift in the composition of the covenanting movement at national level.

The covenanting revolution did not in itself sideline the nobility. Covenanting nobles such as Cassillis and Eglinton continued to be dominant, indeed acquired more power on a national level, although many of their royalist colleagues did lose political influence. What was important about the 1640s was that the nobility were joined by, and co-operated with, significant numbers of lairds and burgesses, who were themselves enabled to gain even more power and influence. Where the higher nobility in the locality favoured the king, the support of lairds for the covenanters was particularly important. In parts of the south-west, e.g., Dumfriesshire and the Stewartry of Kirkcudbright, where the majority of the nobility supported the king, the

¹ See chapters three and four above.

² J.R. Young, *The Scottish Parliament, 1639-61* (Edinburgh, 1996), 43.

activities of other social groupings would be crucial if the area was to be secured for the covenanters and administered to support their military and governmental programme. Even where the nobility were active covenanters, the demands of government and of military service would mean that they were often absent from the locality. In any case, just as they had been less than enthusiastic about becoming involved with, for example, the minutiae of the JP system, the nobility would have preferred to leave the day to day running of bodies such as the committees of war to their subordinates. As a result, lesser men from the south-west also acquired increasing power and position in the locality.

The peerage constitutes a fixed group across which systematic analysis is possible but a different approach has to be taken for other social groupings, governed not least by where and how they appear in the records. A number of groups of individuals have been considered here. They have been chosen because they provide groups whose membership can be profitably analysed and cover the wide range of activities possible in the covenanting movement at both national and local level. Between them they represent the south-west in its geographical entirety, include a wide social spectrum and represent the full chronological range of discontent, from the latter years of the reign of James VI through to the radical dominated years of 1648-50. These are the parliamentary burgesses for the major towns; the members of parliament for Wigtownshire in the 1640s; the lairds of Cunningham named in Robert Baillie's account of organising opposition to the service book; the members of the committee of war for Kirkcudbrightshire and the participants in the Mauchline Rising. These groups have been cross-referenced with two sources which indicate how the lists of those active in the 1640s correlate to the networks of the disaffected which sprung up before 1637: Samuel Rutherford's correspondents and John Livingstone's contacts in the south-west. Some consideration has also been given to the, admittedly small, number of active non-noble royalists in the south-west.

The Burghs of South-West Scotland

The burghs of the south-west and, in particular, Ayr, Irvine and Kirkcudbright, had a long tradition of opposition to the ecclesiastical policies of the crown and conflict with their local bishops. John Stewart, a former provost of Ayr, was one of those who attempted to emigrate to New England in search of religious freedom in 1636. According to Livingstone, Stewart was 'a godly Christian of a long standing. He was one of that intended voyage from Ireland to New England, who were all put back

again'.³ Stewart, his wife and his son were all correspondents of Samuel Rutherford in the 1630s.⁴ Two of Rutherford's other correspondents, John Osborne and John Kennedy, represented the burgh of Ayr in parliament in the 1640s.⁵ Osborne, a former provost of Ayr, represented the burgh in parliament between 1639 and 1641, in 1644 and in 1649.

John Kennedy, a close associate of Stewart, represented Ayr in parliament in 1644, 1645-7 and 1648-9. He also undertook a variety of responsibilities within the covenanting administration and was, for example, one of those responsible for ingathering funds raised by the regime. Kennedy was appointed receiver of accounts, e.g., he authorised the receipt for the money lent by Agnew of Lochnaw for the support of the army in Ireland.⁶ He also operated as a financial administrator at a local level: in 1642 he was appointed to collect funds raised in Ayr for the relief of the distressed who had fled from Ireland.⁷ Hugh Kennedy, who was a member of the town council almost continuously from 1601 until his death in 1623, had been the provost of Ayr during its conflict with the king and Spottiswoode over the deposition of George Dunbar and voted against the Five Articles in 1621.⁸ His son, also Hugh, represented Ayr in parliament in 1643 and again between 1649-51.

The burgh of Kirkcudbright had been heavily influenced by the leading local landowner, MacClellan of Bombie, in the early part of the century. His influence declined thereafter as he did not preside over a meeting of the burgh council in person after 1609 and did not attend a meeting of the council after June 1613.⁹ This was to prove significant as the burgh of Kirkcudbright provided an important reservoir of covenanting activists. Samuel Rutherford described the burgh in 1634 as

³ *Livingstone's Characteristics*, 345.

⁴ *Life of Livingstone*, 153; Rutherford, *Letters*, 302, 363, 421.

⁵ Rutherford, *Letters*, 159, 280.

⁶ *APS*, vi, pt ii, 68; A. Agnew, *The Hereditary Sheriffs of Galloway*, 2 vols. (Edinburgh, 1893), 26-7.

⁷ *RPC*, 2nd series, vii, 547.

⁸ See chapter four above.

⁹ MacClellan's influence and its decline can be traced in *Kirkcudbright Town Council Records, 1606-1658*, ed. John, IV Marquis of Bute & C.M. Armet, 2 vols. (Bute Scottish Record Series, Edinburgh, 1958).

'one which is spoken of in this kingdom for their religion'.¹⁰ More than seventy officebearers, burgesses and indwellers of the burgh of Kirkcudbright signed the petition against the service book in 1637.¹¹ The list was headed by baillie John Ewart, a correspondent of Rutherford and a member of the 1640 shire committee of war for Kirkcudbrightshire.¹² The petition was also signed by William Fullarton, the provost of Kirkcudbright in 1637, the husband of Marion McNaught, to whom the largest number of Rutherford's surviving letters are addressed. John Corsan, another signatory of the Kirkcudbright petition, a burgess of Kirkcudbright and the burgh's representative to parliament in 1640-1 and 1649, married Grizel, the daughter of McNaught and Fullarton, who had previously been Rutherford's housekeeper.¹³

Corsan represented the burgh in the 1649 parliament while William Glendinning of Gelston, provost of Kirkcudbright in 1638 and the burgh's representative to parliament in 1633, 1639-41, 1643 and 1645-7, was in London. Glendinning was one of the three Scottish commissioners in London in 1649, who reported on the king's execution and were ordered by the Scottish parliament to make contact with Charles II but detained by Cromwell. Derided by Balfour as 'a phanatick fellow, made from the dunghill by medling with the publicke service', Glendinning provides a striking example of a significant local figure, with a long history of opposition to the crown's religious policies and a network of local contacts, who was able to gain greater prominence in the 1640s.¹⁴ Glendinning, another signatory of the 1637 petition, was the son of Robert Glendinning, the minister of Kirkcudbright whom Sydserff had tried to remove.¹⁵ In 1637 Rutherford wrote to Glendinning, thanking him 'most kindly for your care and love to me, and in particular to my brother, in his distress in

¹⁰ Rutherford, *Letters*, 99; *Kirkcudbright Minute Book*, 117.

¹¹ *RPC*, 2nd series, vi, 714.

¹² In 1634 Rutherford wrote to Marion McNaught, suggesting that John Ewart would not be a suitable commissioner for the burgh to send to parliament. In the same letter he, however, commented that William Glendinning, who would later be so politically active, 'hath not skill and authority'. In 1637 Rutherford wrote to Ewart in the warmest of terms and specifically thanked him for his kindness to Rutherford's brother George, the schoolmaster of Kirkcudbright, Rutherford, *Letters*, 99, 262.

¹³ For McNaught see Rutherford, *Letters*, *passim*; for Corsan see M.D. Young (ed.), *The Parliaments of Scotland: Burgh and Shire Commissioners*, 2 vols. (Edinburgh, 1992-93), i, 144.

¹⁴ Balfour, *Works*, iv, 59.

¹⁵ See chapter four above.

Edinburgh'.¹⁶ William Glendinning was a member of the shire committee of war for Kirkcudbright and elected by the burgh in 1640 as the captain for Kirkcudbright.¹⁷

Robert Barclay of Irvine represented the burgh in parliament throughout the 1640s and was a member of the committee of estates in 1644-5 and 1649-51. He was a member of several parliamentary commissions; in 1641, for example, he was one of the commissioners for receiving brotherly assistance from the English parliament.¹⁸ Barclay was also chosen as one of the moderator's assessors by the moderator of the 1638 general assembly.¹⁹ Barclay's fellow commissioner to parliament from the burgh of Irvine, Robert Brown, represented a tradition of opposition to the crown which long pre-dated the 1640s. Brown, who represented Irvine in parliament between 1646 and 1648, had been the burgh's commissioner to the parliament of 1621 and had voted against the Five Articles.²⁰ A contrasting pattern of activity was represented by John Corsan, the provost of Dumfries in 1643-4, who was accused of surrendering the burgh to Montrose in 1644 and placed in ward.²¹ Corsan had been a member of the local shire committee of war in 1643 and resumed his membership of it between 1646-8. His father, also John Corsan, had voted for the Five Articles on behalf of the burgh in the 1621 parliament and was cited for recusancy in 1601.²² As the comparison of the political activities of these burgesses suggests, while all of the major burghs in the south-west at least nominally adhered to the covenanting cause in the 1640s, the burgh elite of Ayr, Irvine and Kirkcudbright were active and enthusiastic supporters of the covenanting movement, with a long tradition of dissatisfaction with crown policy, while opinion in Dumfries tended to be more guarded.

¹⁶ Rutherford, *Letters*, 265.

¹⁷ *Kirkcudbright Minute Book*, 28, 116.

¹⁸ Young (ed.), *Parliaments of Scotland*, i, 40.

¹⁹ *Records of the Kirk of Scotland, containing the Acts and Proceedings of the General Assemblies, from the year 1638*, ed. A. Peterkin, 2 vols. (Edinburgh, 1838), i, 139.

²⁰ Young (ed.), *Parliaments of Scotland*, i, 73.

²¹ Balfour, *Works*, iii, 116, 203, 241.

²² Young (ed.), *Parliaments of Scotland*, i, 143-4. Provost Corsan was connected to the Maxwells through his marriage to the daughter of Maxwell of Dinwoodie.

The Members of Parliament for Wigtownshire

Five commissioners represented Wigtownshire in parliament in the 1640s.²³ Their careers and the changes in the pattern of representation illustrate the trends and shifts in the composition of the covenanting movement in the locality. Sir Patrick Agnew of Lochnaw and his son, Andrew, successively represented Wigtownshire in parliament between 1643 and 1649. There was a history of tension between the Agnews of Lochnaw and the earls of Cassillis as their estates adjoined and jurisdictions overlapped.²⁴ One of the most influential families in the locality, rivalled perhaps only by the earls of Cassillis, the Agnews of Lochnaw proved adept at maintaining their power and position and flexible enough to survive the political maelstrom of mid-seventeenth century Scotland. The family were adherents of the covenanting movement from the outset and the presbytery of Stranraer elected Andrew Agnew of Lochnaw and a burgess from Wigtown as its ruling elders to the Glasgow general assembly in 1638. James Agnew, Andrew's brother, served in the army of Solemn League and Covenant and was present at the battle of Philiphaugh.²⁵ Both Patrick and Andrew were still members of the shire committee of war in 1649 and the family retained their office and local influence through the Cromwellian occupation and after the Restoration.²⁶ Agnew of Lochnaw's parliamentary colleague for the bulk of the 1640s was Sir James McDowall of Garthland. McDowall of Garthland, a commissioner to parliament between 1643 and 1648, supported the Engagement and received a commission to raise troops for the Army of the Engagement, after which point he became less politically active.²⁷

The commissioners who sat in the parliamentary sessions held under the radical covenanting regime, Sir Robert Adair of Kinhilt and Colonel William Stewart of Castlestewart, came from a different mould. Stewart represented Wigtownshire in parliament in 1650 and was a member of the 1649 committee of war. His lands in Wigtownshire were erected into the barony of Castlestewart in 1648. A professional soldier who had fought in the thirty years war, he served as a colonel in the

²³ Young (ed.), *Parliaments of Scotland*, 801.

²⁴ See chapter three above.

²⁵ Agnew, *Hereditary Sheriffs*, 26.

²⁶ *APS*, vi, pt ii, 188.

²⁷ *APS*, vi, pt ii, 91.

covenanting armies, except for the Army of the Engagement, until his military career ended after the defeat at Dunbar.

The Adairs of Kinhilt had a tradition of influence in the locality. Ninian Adair of Kinhilt had founded the original burgh at Stranraer in 1595, but the family transferred their interests to Ireland soon thereafter as they were absent from the town when Stranraer was erected as a royal burgh.²⁸ Members of the family, including Robert, had returned to Scotland by the late 1630s and exchanged property in Ireland with Viscount Montgomery of Ardes for lands around Portpatrick.²⁹ Robert Adair of Kinhilt petitioned the Scottish parliament in 1640, seeking redress on account of his great suffering in Ireland because of his constancy in the National Covenant and the steps he had taken to support it. As a result of this he had been indicted and found guilty of treason, his estate worth £550 sterling was in the king's hands and he had been debarred from lifting his moveable goods.³⁰ Adair's brother, William Adair, was the minister of Ayr and one of the ministers present at Mauchline Moor in 1648.³¹ The town clerk of Stranraer and Adair of Kinhilt sat in the 1638 general assembly as commissioners from the presbytery of Stranraer.³² Adair represented Wigtownshire in parliament between 1639 and 41, and again in 1649 and 1650. He was a member of the 1649 committee of war and commanded regiments in the covenanting armies.³³ Adair left his regiment after Dunbar and joined the Army of the Western Association; his brother, William, was one of the ministers associated with the western army.³⁴

²⁸ E.P. Dennison Torrie & R. Coleman, *Historic Stranraer: the archaeological implications of development* (Scottish Burgh Survey, Aberdeen, 1995), 15, 17.

²⁹ Agnew, *Hereditary Sheriffs*, ii, 9.

³⁰ *APS*, v, 294.

³¹ See chapter four above.

³² W. MacKenzie, *A History of Galloway*, 2 vols. (Kirkcudbright, 1841), i, 100.

³³ E. Furgol, *A Regimental History of the Covenanting Armies, 1639-1651* (Edinburgh, 1990), 87-8.

³⁴ For a more detailed discussion of the Western Association see chapter seven below.

The Gentlemen of Cunningham

The involvement of the seven lairds of the presbytery of Irvine named by Baillie in his account of organising opposition to the service book in 1637 did not end there.³⁵ They represented the major lairds of the region; four of them - Montgomery of Hessilhead, Cunningham of Cunninghamhead, Blair of Blair and Mure of Rowallan - had been among the sixteen nobles and lairds nominated as JPs for Cunningham in 1634.³⁶ They also embodied a tradition of religious radicalism. Bryce Blair of Blair had represented Ayrshire in the 1621 parliament where he voted against the Five Articles.³⁷ Cunninghamhead and Rowallan were among the professors of religion whose acquaintance Livingstone made during his itinerant preaching missions during the 1630s.³⁸

Rowallan and the sons of Blair (who died in 1639) and Cunninghamhead (who died in 1640), were members of the 1644 shire committee of war for Ayrshire.³⁹ Even more significantly, Hunterston, Montgomery of Skelmorlie, Hessilhead and Waterston were members of the radical, purged committee of 1649, convened by Mure of Rowallan. Blair's son was also a member of the 1649 committee, as was Cunninghamhead's.⁴⁰ The younger Sir William Cunningham of Cunninghamhead was a commissioner to parliament between 1648 and 1650 and a member of the purging commission set up in 1649, indicating his close involvement with the radical covenanting regime.⁴¹ Cunninghamhead and Blair were reported to have been with the Army of the Western Association in October 1650.⁴²

³⁵ Patrick Hunter of Hunterston; Robert Montgomery of Skelmorlie; Robert Montgomery of Hessilhead; William Cunningham of Cunninghamhead, Bryce Blair of Blair; Alexander Cunningham of Waterston; William Mure of Rowallan, Baillie, *Letters and Journals*, i, 13-14. Hessilhead's signature is on the petition which survives from the parish of Beith, Hunterston's is on the petition from the parish of West Kilbride, *RPC*, 2nd series, vi, 702, 705.

³⁶ *RPC*, 2nd series, v, 427.

³⁷ Young (ed.), *Parliaments of Scotland*, i, 56; Calderwood, *History*, vii, 500.

³⁸ *Life of Livingstone*, 139.

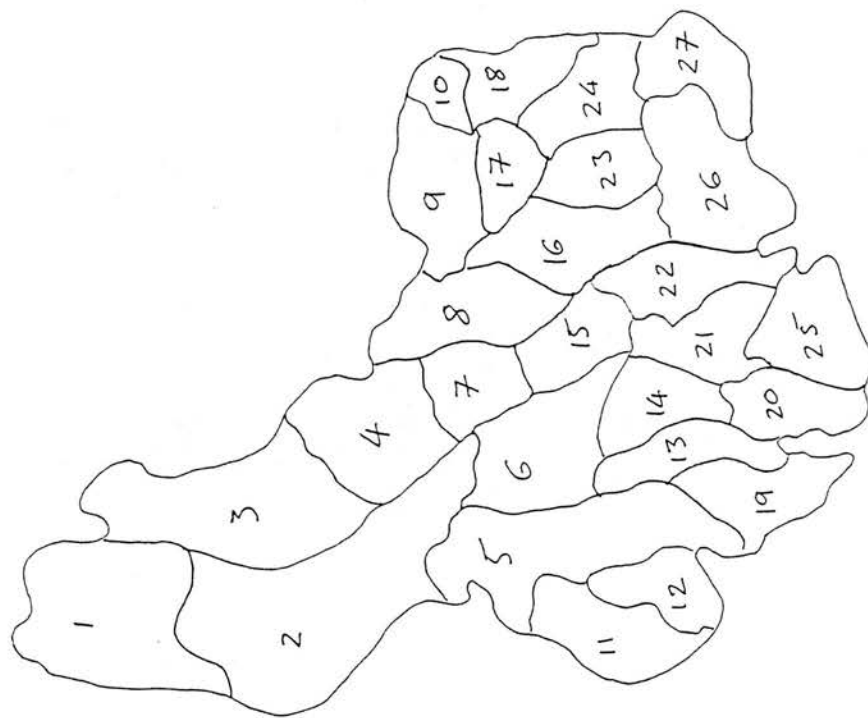
³⁹ *APS*, vi, pt ii, 133.

⁴⁰ *APS*, vi, pt ii, 189.

⁴¹ Young (ed.), *Parliaments of Scotland*, i, 164; *APS*, vi, pt ii, 586-7.

⁴² J. Paterson, *A History of the County of Ayr: with a genealogical account of the families of Ayrshire*, 2 vols. (Ayr, 1847-52), 127.

1. Carsphairn
2. Kells
3. Dalry
4. Balmaclellan
5. Girthon
6. Balmaghie
7. Parton
8. Kirkpatrick-Durham
9. Kirkpatrick-Irongray
10. Terregles
11. Kirkmabreck
12. Anwoth
13. Twynholm
14. Tongland



15. Crossmichael
16. Urr
17. Lochrutton
18. Troqueer
19. Borgue
20. Kirkcudbright
21. Kelton
22. Buittle
23. Kirkgunzeon
24. New Abbey
25. Rerrick
27. Southwick and Colvend
28. Kirkbean

Parishes of the Shire Committee of War for Kirkcudbrightshire

Patrick Hunter of Hunterston, who was a member of the committee of war in 1647, continued his career of ecclesiastical opposition after the Restoration as he was fined £600 by Middleton in 1662. His daughter was married to the eldest son of Alexander Cunningham of Waterston, a cadet branch of the family of the earl of Glencairn. The eldest son of Sir Robert Montgomery of Skelmorlie, who predeceased him, married one of the daughters of the earl of Argyll and the sister of Jane Campbell, the wife of Viscount Kenmure. Again, the family tradition of religious activism continued after 1660 as his grandson was penalised because his wife attended conventicles after the Restoration. Sir William Mure of Rowallan, was active in support of the Covenants, a member of parliament for Ayrshire in 1643 and one of those responsible for raising the levies for the Army of the Solemn League and Covenant in Kyle and Carrick. He became increasingly disillusioned with the course that events were taking and was shocked at the execution of the king. His subsequent support for Charles II has been described as not a turn around but 'the application of old ideas to new facts'.⁴³

The Shire Committee of War for Kirkcudbright

The shire committee of war for Kirkcudbrightshire covered a large and diverse geographical area. It stretched from the large upland parishes which bordered Ayrshire such as Carsphairn and Kells, to the parishes along the Solway, Anwoth, Borgue and Kirkcudbright, and the parishes to the west of Dumfries, Terregles, Troqueer and New Abbey. Thus the Kirkcudbrightshire committee included areas with an existing track record of, particularly religious, radicalism, such as Borgue and Kirkcudbright, but also the parishes such as Troqueer and New Abbey which had seen Catholic recusant activities and where the Maxwells had influence. When the captains of the parishes declared the names of 'cold or uncovenanters' in December 1640, there were few or none named within the parishes to the west or north of the committee's jurisdiction. Five were named in the parish of Troqueer, all Maxwells. The parishes of Buittle and Crossmichael produced eleven 'uncovenanters', including a number of Maxwells and the former ministers of Buittle and Tongland, whose patron was the earl of Annandale.⁴⁴

No lists of those nominated to serve on the shire committees of war are engrossed in the records of the Scottish parliament for 1640 or 1641. The register of the committee

⁴³ R. Jack, 'Sir William Mure and the Covenant', *RSCHS*, xvii (1972), 12.

⁴⁴ *Kirkcudbright Minute Book*, 130-2.

of war for Kirkcudbright, which survives in part for 1640 and 1641, does record a list of those who were sworn in as members of the committee in December 1640.⁴⁵ It is unlikely that the sixteen names on that list constituted the whole committee - it would, for example, be likely that Lord Kirkcudbright would have been a member of the committee of war. Several conveners of the committee were also recorded: Sir Patrick McKie of Larg, who represented Kirkcudbrightshire in parliament in 1639 and 1640 and was a member of the committee in 1644 and 1649; Alexander Gordon of Earlstoun; William Gordon of Kirkconnell, and the 2nd Lord Kirkcudbright. Kirkconnell and Earlstoun were among the sixteen members of the committee sworn in in 1640, but Kirkcudbright and McKie were not

The trend was, however, for committees of war to increase in size throughout the 1640s. Twenty two members of the committee for Kirkcudbright were nominated in 1644 and the long list for 1649 includes over forty names.⁴⁶ What is clear is that the Kirkcudbrightshire committee was dominated by lairds. The only nobles on the 1649 list were the earl of Cassillis, Lord Kirkcudbright and the master of Kenmure, of whom only Kirkcudbright played any active part in local politics. This would prove crucial as the higher nobility along the southern border tended - with the exception of Lord Kirkcudbright, the commander of the regiment which was being raised in 1640 - to be supporters of the king. The Gordons of Kenmure in particular, whose estates lay within the boundaries of the committee, were not able to offer effective leadership in the locality due to the youth and royalist leanings of successive holders of the title. This was provided instead by other members of the Gordon kindred, the most important of whom was Alexander Gordon of Earlstoun.

Gordon of Earlstoun was related to several branches of the Gordon family in the locality and a member of a cadet branch of the Gordons of Lochinvar, later viscounts Kenmure. Earlstoun took responsibility for the affairs of the 2nd viscount Kenmure during his minority. The only one of the sixteen members of the committee sworn in in December 1640 to have previously been a Justice of the Peace, he had been charged with overstepping the bounds of his office in 1637.⁴⁷ Earlstoun was a

⁴⁵ *Kirkcudbright Minute Book*, 116-7.

⁴⁶ The 1644 list is in *APS*, pt i, 135, the 1649 list in *APS*, vi, pt ii, 192-3.

⁴⁷ *RPC*, 2nd series, v, 426. Sir Patrick McKie of Larg, a signatory of the 1637 petition, who was almost certainly a member of the committee of war in 1640, was also a JP in 1634.

convinced covenanter with a long history of opposition to ecclesiastical innovation. He, his wife and his son, William, were among the network of Samuel Rutherford's correspondents and he had already come into conflict with the bishop of Galloway.⁴⁸ Earlston was one of the group of lairds with whom John Livingstone had made contact during his visit to Galloway and Livingstone attended private meetings in his home.⁴⁹ Livingstone described him as 'a man of great spirit, but much subdued by inward exercise, and who attained the most rare experiences of douncasting and uplifting'.⁵⁰ A signatory of the Kirkcudbright petition, Earlston represented the presbytery of Kirkcudbright in the Glasgow assembly and was a member of the shire committee of war in 1640 and throughout the 1640s, as were his sons.⁵¹ He represented Kirkcudbrightshire in parliament in 1641 and served on several parliamentary commissions, e.g., as a commissioner for the common burdens in 1641 and as a commissioner for the loan and tax in 1643.⁵² Earlston presented the petition against the Engagement drawn up by the committee in 1648.

Robert Gordon of Knockbrax had accompanied Gordon of Earlston to the 1638 general assembly and was the commissioner to parliament from the burgh of New Galloway, the family burgh of the Viscounts Kenmure, in the parliamentary session of 1639-41 and 1643.⁵³ He was described by John Livingstone as 'a single-hearted and painfull Christian, much employed at parliaments and publick meetings after the year 1638'.⁵⁴ He and his brother, Alexander Gordon of Garloch, were members of the committee in 1640 and remained members of the shire committee throughout the 1640s. Along with a third brother, John, they had been among the lairds with whom Livingstone had come into contact in the 1620s and Garloch had been one of venues for the private meetings which Livingstone had attended.⁵⁵ All three brothers subscribed the 1637 petition and Robert had been one of Rutherford's correspondents.⁵⁶

⁴⁸ See chapter four above.

⁴⁹ *Life of Livingstone*, 136.

⁵⁰ *Select Biographies*, i, 343.

⁵¹ *Kirkcudbright Minute Book*, 116; *APS*, vi, pt i, 135; *APS*, vi, pt ii, 192-3.

⁵² Young (ed.), *Parliaments of Scotland*, i, 282.

⁵³ Young (ed.), *Parliaments of Scotland*, i, 286.

⁵⁴ *Livingstone's Characteristics*, 343.

⁵⁵ *Life of Livingstone*, 136.

⁵⁶ *RPC*, 2nd series, vi, 711; Rutherford, *Letters*, 144-5.

Another member of the committee in 1640, Alexander Gordon of Knockgray, continued to serve on the committee throughout the 1640s and objected to the repeal of the Act of Classes in 1650. His son, John, was also a member of the 1649 committee.⁵⁷ Knockgray had been one of Rutherford's correspondents in the 1630s. In an often quoted letter addressed to Gordon of Knockgray, Rutherford lamented the state of the church, predicting that⁵⁸

We are like to lose Christ, the true God, in the throng of those new and false gods. Scotland hath cast her crown off her head; the virgin daughter hath lost her garland. Wo, wo to our harlot mother. Our day is coming; a time when women shall wish they had been childless, and fathers shall bless miscarrying wombs and dry breasts; many houses great and fair shall be desolate. This kirk shall sit on the ground all the night and the tears shall run down her cheeks.

Gordon of Knockgray continued his radical stance into the 1660s. The sister of the 6th earl of Cassillis interceded with Lauderdale on his behalf as he was in financial trouble due to his failure to co-operate with the post-Restoration regime. Knockgray had been fined £100 sterling and had already paid 300 merks cess 'which will be near his months rent'.⁵⁹

Gordon of Earlstoun and Gordon of Knockbrax were substantial lairds, whose lands and status were not greatly inferior to Lord Kirkcudbright or Viscount Kenmure. They were also among the most active and dominant members of the committee. Not all of the members of the 1640 committee were, however, of such substance. Some, for example, Hugh Maxwell in Mersheid and William Lyndsay in Fairgirth, would be better described as tenant farmers than lairds, a status perhaps analogous with that of many of those who participated in the Mauchline Rising. Nor did the membership of the committee in 1640 represent the entirety of covenanting support in the locality. John Brown of Carsluith, a signatory of the 1637 petition, represented Kirkcudbrightshire in parliament in 1645 and 1646 and was a member of the committee of war in 1644 and 1649. Another signatory in 1637, William McClellan

⁵⁷ *Kirkcudbright Minute Book*, 116; *APS*, vi, pt i, 135; *APS*, vi, pt ii, 192-3.

⁵⁸ Rutherford, *Letters*, 212-13.

⁵⁹ *Letters from the Lady Margaret Kennedy to John, Duke of Lauderdale* (Bannatyne Club, 1828), 21.

of Barscobe, whose petition to acquire the stones from the partially demolished castle of Threave was granted by the committee, was a member of the committee in 1649.⁶⁰

The records of the committee and its activities in connection with raising money and troops and in controlling the locality, also illustrate the extent to which the covenanting movement was able to count on the support of and mobilise a large section of society outwith the membership of the committee. In 1640 the committee decided to appoint a network of parish commissioners:⁶¹

Seeing that by want of Commissioners in parochess the publict does smart. Thairfoire, thinks it neidful and necessar that thair be Commissioners, and or mae, chosen in ilk parochie within the Stewartrie, wha shall have power within thair boundes to uplift the sogers, both the foote and horss, maintenance and armes, and to produce thame at the rendezvous ... And ordaines the said Commissioners to plunder any persone that shall happen no to make thankfull peyment of the sogers pay both for horss and foote; and that the parochinarer assit the Commissioners for doing thair of.

Many of those appointed were themselves members of the 1640 committee, including, Gordon of Earlstoun and Gordon of Knockgray. Others would be members of subsequent committees, such as Brown of Carsluith and Richard Mure of Cassincharie.⁶² An even greater breadth can be seen in the declarations of the captains of the parishes in December 1640. Some were provided by stalwarts of the committee, such as Gordon of Garloch and Gordon of Earlstoun. Others, however, were provided by individuals such as John Cutlar of Orroland and Robert Maxwell of Cavens, who were outside the network of members of the committee.⁶³

The Mauchline Rising

While the Kirkcudbright committee of war illustrates the way in which the local elite - in the form of substantial lairds - combined with their neighbours of a lower social standing to administer the local community, the participants in the Mauchline Rising of June 1648 offer an insight into a distinctively non-elite group of active

⁶⁰ Young (ed.), *Parliaments of Scotland*, ii, 795; *APS*, vi, pt i, 135; *APS*, vi, pt ii, 192-3; *RPC*, 2nd series, vi, 711.

⁶¹ *Kirkcudbright Minute Book*, 9-10.

⁶² *APS*, vi, pt ii, 135.

⁶³ *Kirkcudbright Minute Book*, 130-1.

covenanters.⁶⁴ Some of the lay individuals who participated in the Mauchline Rising can be identified. William Hendry of the parish of Stewarton petitioned parliament in 1649 for the redress of his sufferings at Mauchline. Hendry's petition, which was written by the session clerk of the parish of Stewarton and subscribed by the minister and elders of the parish, stated that he and his son had gone armed to Mauchline Moor specifically for the purpose of protesting against the Engagement and indicated that he was a man of some substance who lost his two good horses, pistols, sword and a purse of money on the battlefield.⁶⁵

Another Mauchline veteran who sought redress came from a different social background. The petition of Robert Patoun, an indweller of Kilmarnock, described the 'mutilatioun of the supplicants hand gotten in the opposition made to that merclesse Crue led be the earle of Callendar and Generall major Middletoun in Mauchlane Moore'. Patoun was awarded compensation for the injury to his hand and to meet the medical bills he had incurred.⁶⁶ John Dunbar of Knockshannoch's petition for losses incurred as a result of participation in the Mauchline Rising was endorsed by the ministers of Fenwick and Mauchline. Dunbar had fled to Ireland after Mauchline 'to avoid being pressed ... against the light of his conscience'. His house was raided by a party of pro-Engager horse troopers while he was in Ireland, with the loss of a number of household goods and two English mares. Dunbar was also pursued in his flight by troops, resulting in the loss of his horse and travelling equipment.⁶⁷ One of Loudoun's tenants, Archibald Jamieson, a rentaller in the parish of Loudoun, was also present at Mauchline. Two of his sons fought at the battle of Bothwell Brig in 1679.⁶⁸

It is difficult to estimate the social standing of the Mauchline communicants from such a small sample. The contemporary accounts agree that there were around 2,000

⁶⁴ For a discussion of the Mauchline Rising see chapter seven below.

⁶⁵ Public Record Office, State Papers Domestic, SP18/2, 7 Aug. 1649.

⁶⁶ *APS*, vi, pt ii, 165, 204.

⁶⁷ *APS*, vi, pt ii, 526.

⁶⁸ *Genealogy of the Jamieson Family* (privately printed, Glasgow, 1949), 2; *Cuninghame Topographised by Timothy Pont, with continuations and illustrative notices*, ed. J. Dobie (Glasgow, 1876), 396. Jamieson's tombstone is in the graveyard of Loudoun Kirk.

insurgents, two-thirds of whom came on horseback.⁶⁹ Some of them were from Clydesdale; the others were local, probably from the parishes in the immediate vicinity of Mauchline. One group, estimated at a couple of hundred, was made up of those who had previously been in the army. There were, therefore, three distinct groups at Mauchline Moor: the men of Clydesdale who had banded together in opposition to the levying for the Engagement were joined by those who had left the army in protest against the Engagement - 'the sojourns who had left their colours, whereof were one hundred or two'⁷⁰ - and augmented by a group of locals who had gathered for the communion season at Mauchline. None of them could be described as noble, very few even as gentlemen.⁷¹ Baillie described the insurgent who stabbed Middleton as a smith and the term he used for the participants was 'yeoman'.⁷² Their position and social status should not, however, be excessively minimised.⁷³ Jamieson, for example, was the tenant of a substantial farm and all the known Mauchline participants appear to have been well equipped with horses, weapons and personal possessions.

It can, therefore, be suggested that the Mauchline Rising was the product of those who could not personally exert political power, but who had sufficient resources and standing in the local community to enable them to make the choice of taking a stance against what they perceived to be an unlawful and ungodly Engagement. William Mure of Glanderstoun's petition for compensation after the Whiggamore Raid bears a striking similarity to those submitted by the more affluent participants in the Mauchline Rising. Glanderstoun, on his way in August 1648 to join Eglinton and the forces of the 'weell affected persons in the west countrie for defence of religion and the Covenant against the wicked practices and fomenters of the Late unlauffull engagement', sent his horse 'weell furnished with saddle pistolls and other furniture' (the compensation for which was later fixed at £50) on before him towards

⁶⁹ For the an account of the events at Mauchline see chapter seven below.

⁷⁰ Baillie, *Letters and Journals*, iii, 49.

⁷¹ D. Stevenson, 'The Battle of Mauchline Moor 1648', *Ayrshire Collections*, xi (AANHS, 1973), 7.

⁷² Baillie, *Letters and Journals*, iii, 48-9.

⁷³ They certainly could not have been described as 'peasants', as in, for example, Furgol, *Regimental History*, 259.

Kilmarnock, where it was seized by a routemaster from Lord Montgomery's regiment which was also moving from the west to join Lanark and the Engager army.⁷⁴

The Royalist Minority

While there was limited support for the royalist cause in Ayrshire, a number of Carrick lairds were cited for malignancy in 1644, including Kennedy of Ardmillan and the sons of Kennedy of Blairquhan. The involvement of these lairds may signal their dissatisfaction with the earl of Cassillis and his local dominance as there were pre-existing tensions between the earls of Cassillis and the extensive network of Kennedies in Carrick. Several of those accused of malignancy were the descendants of the participants in the feud with the 5th earl of Cassillis which had previously polarised the locality.⁷⁵ While allegiances were normally governed by national issues, pre-existing local grievances might give rise to such political opportunism.

While royalists were fairly thin on the ground in Ayrshire, there was a more important network of royalist lairds in Dumfriesshire, linked to the loyalist nobles of the region. The royalist leanings of some of the burgesses of Dumfries has already been noted, as has the presence of several individuals, mainly Maxwells, identified as 'non-covenanters' in the parishes around Dumfries in 1640. One of the most active royalist lairds, Sir John Charteris of Amisfield, was a commissioner from the presbytery of Dumfries to the 1638 general assembly, represented Dumfriesshire in parliament between 1639 and 1641 and was a member of the shire committee of war in 1643 and 1644. Amisfield was, however, implicated in Montrose's attack on Dumfries in 1644, warded and tried by the covenanters. He went on to join with Montrose prior to the battle of Philiphaugh and was ordered to do penance in the parish church of Tinwald by the general assembly in 1647.⁷⁶ Amisfield was connected by marriage to two eminent royalist families: his mother was the sister of the 2nd earl of Wigton and he married the daughter of the 1st earl of Dumfries.⁷⁷ Sir

⁷⁴ *APS*, vi, pt ii, 216, 280-1.

⁷⁵ Paterson, *History of the County of Ayr*, i, 117-18. For the feud see K.M. Brown, 'A House Divided: family and feud in Carrick under John Kennedy, fifth earl of Cassillis', *SHR*, lxxv (1996).

⁷⁶ McDowall, *History of the Burgh of Dumfries* (4th edn, Dumfries, 1986), 403-4; Balfour, *Works*, iii, 116, 203, 241; Young (ed.), *Parliaments of Scotland*, i, 118; Cowan, *Montrose*, 235.

⁷⁷ *Scots Peerage*, viii, 548; iii, 235.

Robert Grierson of Lag, another prominent royalist, married the niece of John Murray, 1st earl of Annandale and was charged with canvassing for subscription of the royalist King's Covenant at Dumfries in 1638.⁷⁸

Conclusion

An examination of the activities of the lairds, burgesses and their colleagues of south-west Scotland confirms that the region was, at the most local level, able to be delivered and administered for the covenanting cause, whether in the development of discontent prior to 1637, organising the opposition to the service book, staffing the machinery of the covenanting administration in the locality or supporting the radical covenanters of the late 1640s. These networks of non-noble discontent with the policies of James VI and Charles I can be traced back to 1620s and 30s: in the 1621 parliament, through Samuel Rutherford's networks of correspondents in the 1630s and Livingstone's contacts in the locality.

While the nobility were divided in their allegiances - although the covenanting nobles were far more active - below the ranks of the peerage support for the covenanters was the norm. There was a small number of non-noble royalists, but they were in the minority, limited in their activities and were usually connected with royalist nobles. Political allegiances were not, however, necessarily linked to the stance of the higher nobility. In Ayrshire, the covenanting earls of Cassillis, Loudoun and Eglinton were augmented by and associated with the lairds of Ayrshire. In Kirkcudbrightshire, Nithsdale had little success in galvanising his neighbours to support the king, nor did Viscount Kenmure play a decisive role in the politics of the region. Alternative leadership was provided by Lord Kirkcudbright and Gordon of Earlston, who were supported by an extensive network of lairds and tenant farmers.

The strength of the covenanting movement lay in the fact that it was both national and local. This is particularly true of the covenanting movement in the south-west, which was able to provide personnel to service the central administration of the covenanting regime and organise the covenanting revolution at local level. Adherents of the Covenants such as Alexander Gordon of Earlston and William Glendinning operated both in the locality and at central level, providing a link between these two

⁷⁸ *Scots Peerage*, i, 226; Young (ed.), *Parliaments of Scotland*, i, 302.

complementary spheres of influence distinct from the links between centre and locality offered by the covenanting nobility.

Active supporters of the Covenants in the south-west could be found at all social levels, ranging from substantial lairds such as Montgomery of Skelmorlie and Gordon of Earlstoun down to the tenant farmers of Kirkcudbrightshire and the Ayrshire tenants who took part in the Mauchline Rising. Some of them had been part of the pre-existing power structures in the locality - for example, the burgess elite of Ayr and Kirkcudbright and the gentlemen of presbytery of Irvine - others may barely have made an appearance in the historical record except for the incredible scale of the events of the 1630s and 40s. But what is clear is that the covenanting revolution offered many of the inhabitants of the south-west the opportunity to exercise hitherto undreamt of levels of power and influence, at both national and local levels.

CHAPTER SEVEN

For King or Covenant, 1646-50

The Negotiations with the King

'In the beginning of the year 1648 there was a great diversity of judgements in Scotland, concerning the managment of affairs in Estate and Kirk'.

William Row's somewhat understated assessment of the situation highlighted the dilemma which confronted many Scots in the early months of 1648.¹ As long as they had been engaged in warfare - in Scotland, in Ireland and especially in England - it had been possible to maintain the broad coalition of the covenanting movement. The surrender of Charles I to the Scottish army at Newcastle in May 1646, which brought the First Civil War in England to an end, and the subsequent seizure of the king by the New Model Army in June 1647, blew apart the by now fragile allegiances within the covenanting movement and forced individuals to re-examine their attitude to the king or to the Covenants. As Row went on to elaborate, there were two main responses to this shift in the balance of power in England: the majority view in parliament that an army should be levied and enter England to relieve the king under the terms negotiated in the treaty of December 1647 - the Engagement - and the minority view, held by most of the kirk and a small section of the nobility, that no army should be levied at that time.² The Scottish revolution had forced individuals to decide whether they were covenanters or royalists; the Engagement redrew the map of political allegiance and redefined the available options as pro- or anti-Engager.

The decision to levy an army and invade England in support of the king had three main effects on the political factions within the covenanting movement. The Engagement created the first truly effective and wholly national royalist party since 1637 and, in doing so, shattered what has been described as the 'working relationship' between mainstream royalists and covenanters.³ The resulting broad-based nature of the pro-Engager party highlighted the existence of a minority grouping of genuinely

¹ *Life of Blair*, 198.

² *Life of Blair*, 198-9.

³ J.R. Young, *The Scottish Parliament, 1639-61* (Edinburgh, 1996), 185.

radical covenanters who opposed the Engagement and drew their support from the strongly covenanting localities of Lothian, Fife and the west and south-west of Scotland.

The development of the covenanting movement and its relationship with the English parliament had already created a number of crisis points which determined allegiance, such as the outbreak of civil war in England and the campaigns of Montrose and Alasdair MacColla. From the perspective of the south-west, for royalists and covenanters alike, the Engagement was perhaps the most significant event of the 1630s and 40s. It allowed royalists from the south-west to recover, albeit briefly, their influence in national and local affairs. More importantly, while the south-west had made a major contribution to the covenanting movement thus far, the widespread lack of support for the Engagement in the locality showed just how strong support for the Covenants was in the south-west, which would be crucial for the seizure of the political initiative by the radicals following the defeat of the Engager army at Preston in August 1648. The Engagement, therefore, brought to an end any semblance of political consensus in the locality, exposing the ideological divide between those willing to ally with the royalists and support the king within the context of the Engagement, and the more radical covenanters, who were disinclined to compromise and deal with Charles on these terms.

The issues under debate were not in themselves new, but had been given a new urgency by events in England. The surrender of Charles I to the Scottish army in England in May 1646 had opened a new phase in the conflict with the king, which hinted at the possibility of a rift in the working coalition of the covenanting movement and placed increasing strain on relations with the English parliament. The Scots insisted that they deserved an equal say in the disposal of the king, while the English parliament attested that they had sole jurisdiction over Charles's future movements; an 'unreasonable vote, denying unto Scotland a joint interest or vote in the disposal of their King's person, made all honest and right hearted men, noblemen, ministers and others, jealous of the bad designs of the Parliament and of their army, especially against religion and the King'.⁴ The situation was complicated by the fact that Charles spent these months doing what he did best. 'The King, all his lyfe, hes loved trinketting naturally and is thought to be much in that action now with all

⁴ D. Stevenson, *Revolution and Counter Revolution in Scotland, 1644-51* (London, 1977), 72-5; Young, *Scottish Parliament*, 162; *Life of Blair*, 191.

parties, for the imminent hazard of all'.⁵ Various rumours abounded, that the king intended going to France to raise an army, to Ireland or to Scotland. It was suggested that 'He was desirous to have come to Scotland with the army, hoping to make a strong party there for his designs'.⁶ It was, however, unlikely that Charles I would have been able to return to Scotland in 1646 as an uncovenanted king. The necessity of taking the Covenants was frequently pressed upon Charles during these months, but he steadfastly refused to comply.⁷

The negotiations over the disposal of the king in the latter half of 1646 provided an opportunity for the development of a royalist party. The duke of Hamilton had returned to Scotland and subscribed the Covenants in order to re-enter political life. The divisions which would surface in the debate over the Engagement were already apparent in parliament in November 1646.⁸

There were two great factions in it [parliament], viz., the Hamiltons and Campbells. The *duces factionum* were the Duke of Hamilton (who, lately, to strengthen their faction was received to the Covenant) and Argyle ... The designs of the Hamiltonian faction were looked on, by the plurality of the commissioners of the Kirk, and the other faction, as most dangerous.

Hamilton, however, disregarded advice to promote support for the king, largely because it was clear that the covenanters associated with Argyll were in the majority.⁹ A deal was concluded with the English parliament and on 30 January 1647, three years after the Army of the Solemn League and Covenant had first entered England to support the Parliamentarians in their conflict with Charles I, the Scottish army began its withdrawal, leaving the king in the custody of the commissioners of the English parliament.

⁵ Baillie, *Letters and Journals*, ii, 412.

⁶ *Life of Blair*, 193.

⁷ *Life of Blair*, 191-5; Baillie, *Letters and Journals*, iii, 4. Robert Blair was appointed by Charles as his chaplain following the death of Alexander Henderson in August 1646. As Blair was regularly with the king at Newcastle, his son-in-law's account of this period in his continuation of Blair's autobiography holds particular interest. Robert Baillie was also in England during this period, as a commissioner to Westminster Assembly of Divines, and met Charles at Newcastle on his return journey to Scotland.

⁸ *Life of Blair*, 192.

⁹ Young, *Scottish Parliament*, 170-1.

Within six months the situation was dramatically altered. The capture of the king by the New Model Army triggered a vigorous and increasingly factional debate which would dominate Scottish political life for the next year. Although the eventual decision to switch from campaigning on the side of Parliament to fighting for Charles may seem - and in many ways was - a complete political reversal, the issue was not so clear-cut in the last six months of 1647. Even the most zealous of covenanters recognised that a shift in power was taking place in England and that the king was held by what they regarded as the 'sectarian perfidious army'.¹⁰ Sectaries and malignants were equally repugnant to covenanters who adhered stubbornly to the eternally binding nature of the Covenants.¹¹ Thus the king was in the hands of 'a faction of sectaries and hereticks, now prevalent in the Army and Parliament, who openly and obstinately doe tread under foote the whole and every part of our Covenant'.¹²

The key issues in 1647 were the negotiations with the king and the disbanding of the army. Military operations in Scotland had ceased: the king had ordered his supporters to lay down their arms, Montrose was in exile and Alasdair MacColla had been killed in Ireland in November 1647. The cessation of hostilities made the creation of an effective royalist party more plausible as it could avoid being associated with the malignants and concentrate on emphasising the need to preserve the king's safety. It also allowed Hamilton to argue for the disbanding of the army on the basis that it was

¹⁰ *Life of Blair*, 198.

¹¹ In 1648, for example, in his last letter to his dying ministerial colleague, George Gillespie, Samuel Rutherford urged Gillespie that if he should 'leave any testimony to the Lord's work and Covenant, against both Malignants and Sectaries (which I suppose may be needful) let it be under your hand, and subscribed before faithful witnesses', Rutherford, *Letters*, 645. In general, however, while asserting the superiority of the presbyterian system of church government, covenanting authors did not routinely malign English Independency in this way until the later years of the 1640s. Baillie and Rutherford had come in contact with the diversity of religious views within the English church as commissioners to the Westminster Assembly and, while expressing their dislike for the variety of systems of church government which they viewed as anarchic, recognised those with whom they could identify spiritually. As Rutherford wrote from London, 'There is nothing here but divisions in the Church and Assembly; for beside Brownists and Independents (who, of all that differ from us come nearest to walkers with God), there are many other sects here' (616-17); 'Multitudes of Anabaptists, Antinomians, Familists, Separatists, are here. The best people are of the Independent way' (619).

¹² Baillie, *Letters and Journals*, iii, 26.

an unnecessary burden on the country. Given the often repeated concern for the safety of the king at the hands of the sectaries, it would have seemed logical, as indeed Argyll countered, to maintain the army until matters were resolved. It does, therefore, seem likely that it was feared that - as indeed happened after the defeat of the Engager army at Preston - covenanting troops could have been used to obtain a military solution hostile to Hamilton and the royalists. While the eventual decision on the fate of the army was referred to the parliament of 1648, it is significant that it was the intention of the royalists that the remaining regiments of the covenanting army were to be disbanded and a new army raised for the Engagement, drawing a distinction between the two forces.

Even the most radical covenanters had not been opposed to negotiating with Charles *per se*. Nobles such as Cassillis, who would oppose the Engagement in 1648, were involved in negotiations with the king at Newcastle in 1646, as was another prominent radical from the south-west, William Glendinning, the provost of Kirkcudbright.¹³ The covenanting response to Charles's predicament is distorted when viewed solely from a Scottish perspective - something no contemporary Scot would have dreamt of doing. In the latter half of 1647, Charles was up to his old game of negotiating with various parties, including representatives of the New Model Army and the radicals in the English parliament. Radical covenanters inclined to be wary of negotiating with Charles I were equally distrustful of Cromwell, Sir Thomas Fairfax and the Army. The kirk was likewise in two minds, caught between caution over the concessions which they required from Charles I and a vehement dislike of toleration and Independency. The Heads of the Proposals presented to Charles in August 1647 by a coalition of representatives from the Army and a radical faction in the English parliament abandoned the call for religious reform leading towards the establishment of presbyterianism, sought toleration for Independent congregations and allowed for a limited episcopate. This was seen as a betrayal of the Solemn League and Covenant and provoked Baillie's comment that 'The armie's mind, much of it, may be seen in their propositions ... By it they are cleare enough for a full libertie of conscience, a destroying of our Covenant, a setting up of Bishops'.¹⁴

At length, after months of clandestine negotiations, Charles chose to conclude a deal with the diplomatic commissioners sent by the Scottish parliament, Loudoun,

¹³ *Life of Blair*, 188, 193.

¹⁴ Baillie, *Letters and Journals*, iii, 15.

Lauderdale and William Hamilton, 1st earl of Lanark (Hamilton's brother). Hamilton had become much more active in supporting the royalist cause in Scotland and a factional struggle was developing in the committee of estates between conservatives and royalists grouped round Hamilton and the more radical covenanters associated with Argyll.¹⁵ Two processes were at work: the beginnings of a royalist response to the events of the past decade and a concern for the safety of the king. Hamilton was able to use the concern for the king's welfare to recapture the political initiative and secure the support of many moderate covenanters, thus marginalising radical covenanters who were unable to compromise and support the king under the terms of the Engagement. This alteration of the balance of power within the covenanting administration allowed the acceptance of the Engagement on behalf of a far from covenanted king and highlighted the existence of the minority radical continuum, which had been part of the covenanting movement from the beginning, but was temporarily outmanoeuvred by the royalists in 1647-8.

The Engagement was ratified by the committee of estates in February 1648. The first real test of the level of support for the Engagement would, however, come in the first session of the second triennial parliament which opened in March 1648.¹⁶ More nobles were present in the opening parliamentary session of 1648 than had attended almost any other parliament of the 1640s.¹⁷ Hamilton had a clear majority of support, commanding the loyalty of the overwhelming majority of the nobility, more than half of the shire commissioners and nearly half of the burgess representatives. There was also a distinct, albeit minority, party opposed to the Engagement: 'There was a considerable party in the Parliament of noblemen, viz., Argyle, Cassillis, etc.,

¹⁵ Young, *Scottish Parliament*, 190-4.

¹⁶ The parliament of 1621, which had ratified the Five Articles, had been described by opponents of the changes in worship as 'the black parliament', on account of the nature of the business transacted at it and the meteorological portents which surrounded it. One minister made the comparison with the 1648 parliament: 'now again, anno 1648, at a second Hamilton's black parliament, the Malignants, by pluralities of votes, having established mischief also by a law, contrare to the Covenants and treaties betuix the kingdoms ... we lye under a great dearth ever since that time', Row, *History*, 330-1.

¹⁷ Young, *Scottish Parliament*, 195, where he points out that the total of fifty-six nobles recorded in the parliamentary rolls was equal to the number present on 17 August 1641, when Charles had himself been present.

gentlemen, commissioners from shires, and some burgesses, that did protest against their courses'.¹⁸

The South-West and the Engagement

It is possible to reconstruct the group of parliamentary representatives from the south-west in Argyll's party. The attendance of nine nobles from the south-west was recorded in the opening session of the Engager parliament: the earls of Loudoun, Cassillis, Eglinton, Glencairn, Dumfries and Nithsdale, Viscount Kenmure and Lords Bargany and Cochrane.¹⁹ Robert Baillie identified a maximum of twelve nobles whom he considered to be 'for our way', i.e. opposed to the Engagement, including Cassillis and Eglinton. Baillie included Loudoun in this grouping, suggesting that he was 'sometimes' associated with them. Loudoun's position is hard to pin down in the spring of 1648. He had been one of the three commissioners who negotiated the Engagement with Charles and was elected president of parliament in March 1648. He seems to have deserted the pro-Engagers fairly quickly thereafter, definitely prior to the adjournment of parliament at the beginning of May: 'The Chancellor, that had hitherto been too farr for the Engagers, offended with their unreasonable proceedings, came almost wholly off them to us his old friends and best'. Loudoun avoided any military participation in the Engagement, but even this brief association ensured that Loudoun would be required by the presbytery of Irvine to do penance in 1649.²⁰

A majority of the nobility from the south-west present in parliament were, therefore, active supporters of the Engagement. The earl of Glencairn and Lord Cochrane had been lukewarm covenanters for whom the Engagement offered a more congenial political environment. John Hamilton, Lord Bargany raised a regiment of foot for the Engager army and was taken prisoner after the defeat at Preston.²¹ Viscount Kenmure also raised a regiment in the Engager army.²² For consistently royalist nobles such as

¹⁸ *Life of Blair*, 200.

¹⁹ *APS*, vi, pt ii, 3-4.

²⁰ Baillie, *Letters and Journals*, iii, 35, 38; Stevenson, *Revolution and Counter-Revolution*, 104, 108; Young, *Scottish Parliament*, 202, quotes Lanark as complaining that Loudoun had defected by mid-April.

²¹ *Scots Peerage*, ii, 28.

²² E. Furgol, *A Regimental History of the Covenanting Armies, 1639-1651* (Edinburgh, 1990), 277.

the earl of Dumfries, the Engagement offered an opportunity to regain the political initiative. This was even more true of Robert Maxwell, 2nd earl of Nithsdale, who had inherited the title in 1646 on the death of his father, the most notorious royalist in the south-west, and continued the family tradition of royalism. Nithsdale, whose father had been forfeited in 1645, was found not to be personally guilty of any crime and restored to parliament in 1648, after taking the parliamentary oath and the Covenants.²³ Although he was not present at the opening of the Engager parliament, Lord Boyd was politically rehabilitated in 1648. Boyd had been on the committee of war for Ayrshire in 1644, excluded thereafter, required by the kirk to give satisfaction in 1647 and did not serve on a local committee of war again until 1648.²⁴

Apart from the small number of nobles whom contemporaries defined as anti-Engager, reconstructing the radical parliamentary grouping in the south-west in 1648 does involve a degree of conjecture. The attitudes of some, such as William Glendinning and John Kennedy, are obvious from their patterns of behaviour both before and after 1648. As public and local offices were purged by the radical regime after the failure of the Engagement - the lists of those on the shire committees in the south-west definitely indicate purging - continuation in public affairs can be construed as evidence of lack of support for the Engagement. Obviously, this is not evidence of opposition in the Engager parliament as such. However, a marked pro-Engager stance would have made inclusion on the commission of the kirk, for example, very unlikely. Using the same criteria, nobles such as Lord Cathcart and Lord Kirkcudbright, who were not present at the opening of parliament, can safely be described as anti-Engagers.

The balance in the burgh and shire representation from the south-west was weighted more heavily towards opponents of the Engagement. Amongst the burgesses, John Kennedy of Ayr, Robert Brown of Irvine and William Glendinning of Kirkcudbright can be classified as anti-Engagers with certainty.²⁵ Thomas McBirnie of Dumfries could not have been an active supporter of the Engagement as he continued to

²³ *APS*, vi, pt ii, 8-9.

²⁴ *NAS*, Extracts from Irvine Presbytery, CH2/192/1, 16 Jul. 1647; *APS*, vi, pt i, 91, pt ii, 34.

²⁵ Biographical details of individual commissioners can be found in M.D. Young (ed.), *The Parliaments of Scotland: Burgh and Shire Commissioners*, 2 vols. (Edinburgh, 1992-93).

represent the burgh in parliament until 1650 and was a member of the commission of the kirk in 1649.²⁶ The Stewartry of Kirkcudbright was represented by William Grierson of Bargatton, who was still present in parliament in 1649 and a member of the post-Engagement shire committee of war.²⁷ Sir William Cunningham of Cunninghamhead, who represented Ayrshire in the Engager parliament, was nominated as one of the military commanders in Ayrshire in 1649 and was on the shire committee of war drawn up in February 1649, again indicating that he had not been politically tainted by association with the Engagement.²⁸ Sir Andrew Agnew of Lochnaw, son of the sheriff of Wigtown, similarly maintained his position in the locality after 1649, as did his father.²⁹ The other commissioner for Wigtownshire, Sir James MacDowall of Garthland, participated in the Engagement and raised a troop of horse from Ayrshire and Wigtownshire.³⁰ Dumfriesshire was also represented in 1648 by a royalist and pro-Engager, Sir Robert Grierson of Lagg.

A number of royalists who might have been expected to participate in the Engagement were noticeably absent, either in parliamentary or local politics or from the Engager Army. The absence of the earl of Galloway is understandable due to his death the following year, but his son, Lord Garlies, was nominated as a colonel for Wigtownshire and Kirkcudbrightshire and as a member of the 1648 shire committee of war.³¹ The brother of the earl of Queensberry, William Douglas of Kelhead, led a regiment in the Engager army.³² The political silence in 1647-8 of the earls of Wigton, Hartfell and Annandale was more surprising. Their absence was partly explained by the Engagers' decision that those who had been found guilty under the first or second class of the 1646 Act of Classes - i.e. those who had sided with Montrose - were to be excluded from the shire committees of war in 1648; thus the prior association of these nobles with Montrose made their non-participation in the

²⁶ *Records of the Kirk of Scotland, containing the Acts and Proceedings of the General Assemblies, from the year 1638*, ed. A. Peterkin, (Edinburgh, 1838), i, 549-50.

²⁷ *APS*, vi, pt ii, 186-93.

²⁸ *APS*, vi, pt ii, 124, 186-93.

²⁹ *APS*, vi, pt ii, 186-93.

³⁰ Furgol, *Regimental History*, 276-7.

³¹ *Scots Peerage*, iv, 160-1; *APS*, vi, pt ii, 35-6.

³² Furgol, *Regimental History*, 276-7.

Engagement politic as the supporters of the king sought to gain credibility with moderate covenanting opinion.

Financial considerations may have been uppermost in the minds of other supporters of the king. Wigton's eldest son, Lord Fleming, and the earls of Hartfell and Annandale had all suffered financially as a result of their earlier support for Charles. Lord Fleming had been obliged to find surety and been heavily fined as a result of his joining with Montrose.³³ Hartfell had been imprisoned and fined as a result of his complicity in Montrose's capture of Dumfries. Despite being obliged to find caution in the amount of £100,000 for his good behaviour, Hartfell joined with Montrose again in 1645, was tried for his malignancy and obliged to pay a portion of the £100,000 as a fine.³⁴ Charteris of Amisfield who had been implicated in the capture of the burgh of Dumfries and was one of Hartfell's cautioners was also inactive in the Engagement. Annandale, one of Hartfell's other cautioners, was himself heavily fined in 1646.³⁵ It would, therefore, seem likely that financial penalties incurred as a result of previous adherence to the royalist cause also served as a deterrent to participation in the Engagement. It was the scale of the financial pressure which these nobles had faced which made them cautious; they had already proved their loyalty to Charles so remaining inactive in the Engagement was the strategy which presented least risk.

While the majority of nobles from the south-west favoured the undertaking on behalf of the king, a significant minority opposed it. Moreover, the higher nobility excepted, the preponderance of lay opinion in the south-west opposed the Engagement. The overwhelming majority of both greater and lesser nobility who had been active covenanters prior to 1647 opposed the Engagement; those who supported it had been unconvinced covenanters, such as Glencairn, or open royalists such as Dumfries. In the south-west the Engagement did not represent a turn-over of opinion; there were significant numbers of covenanters who did not defect to Hamilton's side in 1647-8. What the Engagement did was to allow royalists from the locality to re-enter political life. It has been suggested that to describe the Engagement as a counter-revolution is

³³ 'Royal Letters and Instructions and other Documents from the archives of the Earls of Wigton', *Maitland Miscellany*, ii, pt. 2 (Maitland Club, 1840), 444-7.

³⁴ W. Fraser, *The Annandale Family Book of the Johnstones*, 2 vols. (Edinburgh, 1894), i, pp. cxcii-cc; Balfour, *Works*, iii, 203, 241, 328.

³⁵ *Scots Peerage*, i, 228.

to risk viewing it 'through the narrow prism of the radicals'.³⁶ This is perhaps true of national politics but, in a covenanting locality such as the south-west, the Engagement did indeed represent a counter-revolution in the political ascendancy of the local community, which would be redressed in 1648 by another counter-revolution, as a result of which all but the most convinced covenanters were eclipsed. What is important about the south-west in 1648 is not that it was typical, rather that it was untypical.

One of the most striking features of the radical south-west was the distinctive behaviour of a small number of committed covenanting nobles - Loudoun, Cassillis, Eglinton and Lord Kirkcudbright in particular - who were now running contrary to the broad drift of national political opinion and would play a crucial role in securing the radical regime in the wake of Preston. There are no easy answers as to why these nobles should have maintained a resolutely covenanting stance. It is true that the three earls had been involved in the organised opposition to Charles I since 1637, all had been closely identified with Argyll and would, therefore, have been expected to remain associated with his faction. Their response in 1648 was, however, more complex than a mere adherence to factional politics and offers an insight into the radicals' understanding of the Covenants.

These nobles were some of the most radical supporters of the covenanting cause: Cassillis, for example, was one of only four commissioners who voted against an act setting out breaches of the Covenants by England on 18 April 1648. This act was intended to convince the kirk that the Engagement was intended for the defence of religion. As many of Argyll's associates must have voted for this legislation, it also suggests the extent to which the satisfaction of religious issues were of prime importance to the anti-Engagers. While negotiating with the king was not in itself taboo, the dilemma for committed covenanters, already cautious about dealing with the king, intensified when it became clear on what terms the Engagement had been negotiated.³⁷ In the treaty of December 1647 Charles guaranteed a presbyterian church settlement in Scotland and agreed to a three year trial period for presbyterianism in England. The legislation of the First Triennial Parliament was to

³⁶ M. Lynch, *Scotland: a New History* (London, 1991), 276.

³⁷ The text of the Engagement is in G. Donaldson (ed.), *Scottish Historical Documents* (Edinburgh, 1974), 214-18. The treaty has been described as 'remarkably similar to the covenanting negotiating demands of 1640', Young, *Scottish Parliament*, 192.

be ratified and debts owed to the Scottish parliament paid. The king recognised the Covenants, but did not himself subscribe them, and no unwilling person was to be constrained to do so. The Engagement also offered the 'complete union' of the kingdoms, free trade and the provision that either the king or the Prince of Wales would reside in Scotland occasionally. Given the tenor of Anglo-Scottish relations, it was significant that Charles was to conclude no other treaties without the consent of the Scots. Robert Baillie, one of the more conservative anti-Engager ministers and a close associate of Eglinton and Loudoun in particular, justified the kirk's opposition to the Engagement on both political and religious grounds. It is likely that Baillie, in this closely argued document laying out the justification for opposing the Engagement, was expressing views very similar to those held by lay covenanters.³⁸

Wee desire that our Covenant, Religion and, Liberties, purchased of old and maintained of late at very high rates, may not by this new Warre be put in a condition every way as hazardous as they stand in this day ... for then the king, though nothing changed in his mind, must be set up, and enabled with his former parties of malignants to act more vigorously than ever in all the three Kingdomes. The yoke of tyrannie in the state, of poperie and prelacie in the Church, is lyklye to be put upon our neck, with alse violent a hand as ever.

Whatever Loudoun's views on dealing with the king, after he had been chosen to be one of the negotiators with the king, it is hard to envisage him going to England with Lauderdale and Lanark and returning with anything except the Engager treaty.³⁹ From Charles's perspective he had made significant concessions: from the point of view of the radicals he had conceded little. The question was largely academic. Arguably the royalist response was successful primarily because it did not rely upon concessions

³⁸ Baillie, *Letters and Journals*, iii, 27-8. Baillie's description of the meetings held between leading lay covenanters and prominent ministers prior to the Engagement parliament also gives an insight into the issues of concern to the radicals, *Letters and Journals*, iii, 33-4.

³⁹ While Cassillis, for example, had been involved in earlier negotiations with the king, these had not been conducted on the same terms as the negotiations in the latter half of 1647 and, as has been argued above, the radicals would not have countenanced Charles's return to Scotland without significant concessions. The discussions which culminated in the Engagement took place as a result of the shift in the composition of the covenanting movement, in which supporters of the king had gained more power, and were conducted within the context of proposed military support for Charles. It is, therefore, the fact that Loudoun took part in the 1647 negotiations which is significant, although he fairly quickly disassociated himself from the Engagers thereafter.

from the king; the momentum for support for Charles had begun well before any formal negotiations were concluded. Although the 1647 treaty may indeed have satisfied the constitutional demands of 1640-1, the failure of the radical covenanters to support it simply showed that their agenda had moved on. Also, while the royalist nobles had been increasingly sidelined by the covenanting revolution, the radical covenanters who opposed the Engagement had, if anything, been able to exercise more power than they had been able to prior to 1637. It was the Engagement which threatened their influence.

Few of the lay covenanters left any written account of their political philosophy.⁴⁰ Consequently their political views can only be inferred from their actions. The political ideology of the earl of Cassillis, a resolute opponent of the Engagement, had, however, developed considerably from that of the noble who a decade previously had needed to be persuaded of the legality of military action against the king.⁴¹ For these radical covenanters the demands of the pre-Solemn League and Covenant era were now immaterial. It is unlikely that, after nearly a decade of conflict, Charles I could have satisfied the demands of the radicals, not least because he was ideologically unable to do so. If the ideal of a covenanted king had been delivered in December 1647, the Engagement could potentially have secured an even wider basis; the radical nobles who dissented from it were, after all, the same nobles who proclaimed Charles II as king immediately after his father's execution, albeit upon strictly limited conditions. It is, however, equally likely that the experiences of a decade of covenanting politics would have had made them very wary of dealing with the king. Arguably it was only by his execution that Charles I could secure the support of nobles such as Cassillis and Eglinton for the monarchy.

Opposition to the Engagement was far more widespread and deep-rooted within the wider political community of the south-west than the analysis of parliamentary opposition would suggest. More than half of the petitions against the Engagement from the presbyteries and shire committees of war came from the south-west, including petitions from the presbyteries of Penpont, Irvine and Ayr and the committee of war for Ayrshire. The petition drawn up by the committee of war for

⁴⁰ For a discussion of this problem and a reconstruction of Argyll's political ideas see E.J. Cowan, 'The Political Ideas of a Covenanting Leader: Archibald Campbell, marquis of Argyll, 1607-61', in R. Mason (ed.), *Scots and Britons: Scottish political thought and the union of 1603* (Cambridge, 1994).

⁴¹ Baillie, *Letters and Journals*, i, p. xxxviii.

Kirkcudbright was presented by Alexander Gordon of Earlstoun and was augmented by a petition from the burgh of Kirkcudbright itself.⁴² This level of local opposition would be crucial, as securing support for the Engagement in parliament was of little value to the king without the levying of an army.

Support for the Engagement had, therefore, to be ensured in the localities. On 18 April 1648 the country was officially placed in a posture of defence and new shire committees of war and colonels in the shires were appointed.⁴³ In one sense the lists did not contain any great surprises as they continued to reflect the local leadership of society; in particular the minor nobility and lairds included exhibited significant continuity with earlier shire committees. The composition of the committees of war did, however, indicate that covenanters were being augmented by the royalists who had tended to be excluded from the covenanting administration from the mid 1640s onwards such as Lord Boyd, the earls of Dumfries and Nithsdale and Lord Garlies. This was particularly true of the committee for Dumfriesshire, which was substantially different from the post-Engager committee of war, in contrast with Ayrshire where there was significant continuity between the two committees. Ayrshire was primarily a covenanting area in which support for the Engagement was isolated: Dumfriesshire, while having a strong covenanting element, had many prominent royalists. This is further supported by the lists of colonels nominated in 1648. Those in Dumfriesshire, Wigtownshire and Kirkcudbrightshire were all Engagers, but in Ayrshire the list was split between Engagers and anti-Engagers. The seven colonels of the shire for Ayrshire were Glencairn, Campbell of Cessnock, Loudoun, Cochrane, Cassillis, Eglinton and his eldest son, Lord Montgomery.

The commissions to actively raise troops from the south-west given in May 1648 were, however, more restrictive and excluded those Ayrshire covenanters who were unwilling to support the Engagement. Commissions to raise troops from the south-west were given to Dumfries, Glencairn, Kelhead, Lord Garlies, Lord Montgomery, Lord Cochrane, Grierson of Lagg, MacDowall of Garthland and Viscount Kenmure.⁴⁴ The move towards actual military activity on behalf of the king further divided the radical covenanters from the Engagers. The shift which had taken place within the

⁴² Stevenson, *Revolution and Counter-Revolution*, 107; *APS*, vi, pt ii, 89, 91.

⁴³ *APS*, vi, pt ii, 30-6.

⁴⁴ *APS*, vi, pt ii, 55. Cochrane later desired to be excused from his commission to serve in the army in Ireland, *APS*, vi, pt ii, 91.

military leadership of the south-west was underlined by the contrast between the commanders of the regiments of the Army of the First Bishops' War of 1639 and the Engager Army raised in 1648. The majority of the regiments of the first army raised in the south-west in the name of the Covenant were led by local figures prominent in the opposition to Charles I such as Cassillis and Eglinton, who maintained a role in the mustering of further armies in the course of the 1640s. None of these commanders played any part in the Engagement and they were replaced by royalists, such as the earl of Dumfries, who had remained largely inactive in the conflict thus far.⁴⁵ Nowhere was this shift seen more clearly than within Eglinton's own family. One of his sons, Robert Montgomery, who had been a military commander throughout the wars of the Covenants, resigned his command rather than participate in the Engagement. Command of his troop of horse was reassigned to his eldest brother, Hugh, Lord Montgomery, who had defected to the king in 1642.⁴⁶

The scale of local opposition was manifested in the difficulty of raising the levies for the Army of the Engagement in the south-west.⁴⁷

They that did not give ready obedience to the act of levy were quartered on, until by themselves or others, their proportions were put out. Thus many honest men in Fife and Lothian did sadly suffer. In the west where there was greater opposition, honest ministers and some gentlemen with many of the commons, were pitifully abused and suffered most sadly by the forces in the west, commanded by Middleton.

For some it was the experience of war and service in the army which had radicalised their views. The regiment from the south-west raised in the name of the earl of Glencairn for the army in Ulster refused to supply troops for the Engager army, despite both Glencairn and the regiment's lieutenant colonel supporting it. The men of the regiment and their officers refused to obey the orders of the army's committee of war and were declared an enemy to the cause.⁴⁸ The failure of the covenanting leadership in the locality to support the Engagement would have had a negative impact on support from the wider community; while latent anti-Engager sentiment was further encouraged by the stance taken by ministers from the south-west. The

⁴⁵ Furgol, *Regimental History*, 19-20, 23, 27, 274-5.

⁴⁶ Furgol, *Regimental History*, 261.

⁴⁷ *Life of Blair*, 202.

⁴⁸ Furgol, *Regimental History*, 85-6.

dominance of the covenanters in the south-west made being a royalist difficult; equally it made widespread support for the covenant more plausible and entrenched covenanting ideology. While the western shires were most closely identified with resistance to the Engagement, the other locality which exhibited consolidated resistance to the Engagement and military support for the Whiggamore Raid was the other locality in which covenanting views were widespread - Fife.

The Engagers' response to the problem of raising the levy from the south-west was to use coercion. As James Turner said of Glasgow, 'the quartering of tuo or three troopers and halfe a dozen musketeers, was ane argument strong enough in two or three nights time to make the hardest headed Covenanter in the toune to forsake the kirk, and side with the parliament'.⁴⁹ Similar policies were pursued in the south-west, particularly in Ayrshire. A number of parishioners of Dalrymple in Ayrshire, for example, sought redress against Major George Greir and his party of horse, who had either carried off or destroyed large quantities of foodstuffs from the area.⁵⁰

The most organised response to the Engager levy in the south-west came in June 1648. The Mauchline Rising had its origins in a communion season held in the parish of Mauchline in Ayrshire. The communion services stretched over a number of days, at least from Saturday through to Monday. Some of the communicants, accompanied by seven local ministers,⁵¹ left the church after the Monday thanksgiving service to muster on Mauchline Moor, where they were forcibly dissolved by pro-Engagement troops led by Middleton and Callendar.⁵²

⁴⁹ James Turner, *Memoirs of his Own Life and Times, 1632-70*, ed. T. Thomson (Bannatyne Club, 1829), 53-4.

⁵⁰ *APS*, vi, pt ii, 166-7.

⁵¹ For a more detailed analysis of the seven ministers who took part in the Mauchline Rising see chapter four above.

⁵² There are a number of contemporary accounts of the events at Mauchline Moor. Robert Baillie's is in *Letters and Journals*, iii, 48-9 and Sir James Turner's in his *Memoirs*, 55-6. The events at Mauchline and the south-west's role in the opposition to the Engagement are discussed by William Row in his continuation to his father-in-law's autobiography, *Life of Blair*, 201-5. Further accounts are given in letters by Thomas Wylie and by Callendar himself, which are discussed in D. Stevenson, 'The Battle of Mauchline Moor 1648', *Ayrshire Collections*, xi (AANHS, 1973).

The roots of the Mauchline Rising have often been sought in socio-economic causes.⁵³ While financial pressures cannot be related directly to the causes of the Mauchline Rising, they contributed to a general social instability which would have been particularly volatile at such a sensitive political juncture. The late 1640s were a time of great social upheaval, of plague, dearth and increased prices, caused by a combination of natural phenomena and the pressures of nearly a decade of sustained warfare.⁵⁴ Balfour claimed that the price of victual and corn were higher than ever before in 1649 and, in January of that year, parliament noted the 'scarcety of victuall and present dearth' and ordered that steps should be taken to ensure that foodstuffs were not exported.⁵⁵ In 1638, the ostlers of Kirkcudbright had petitioned the town council for permission to raise the price of beer and ale from 12d to 16d a pint. Their request was denied and the price remained fixed at 12d until 1647, when long-term inflation and immediate economic pressures forced and maintained the price rise.⁵⁶ Communities were also conscious of the pressure of paying for the covenanting armies and the disruption and expense of having troops billeted in the locality.⁵⁷

⁵³ In most detail by Walter Makey in his *The Church of the Covenant, 1637-1651* (Edinburgh, 1979), 167-74.

⁵⁴ A.I. Macinnes, 'The Scottish Constitution, 1638-51: the Rise and Fall of Oligarchic Centralism' in J. Morrill (ed.), *The Scottish National Covenant in its British Context* (Edinburgh, 1990), 128.

⁵⁵ Balfour, *Works*, iii, 409; *APS*, vi, pt ii, 148. These impressionistic sources are confirmed by the data in A.J.S. Gibson & T.C. Smout, *Prices, Food and Wages in Scotland, 1550-1780* (Cambridge, 1995), which shows that the fiars prices for wheat, bere and oatmeal in the late 1640s were at a similar level to those in the famine years of the 1690s (168-9). Prices generally started to rise from the harvest of 1647 and returned to more normal levels in 1652.

⁵⁶ *Kirkcudbright Town Council Records, 1606-1658*, ed. John, IV Marquis of Bute & C.M. Armet, 2 vols. (Bute Scottish Record Series, Edinburgh, 1958), ii, 571, 581, 862.

⁵⁷ The Town Council Minutes of Dumfries, for example, show that the economic life of the town continued. Despite war and plague, burgesses continued to be admitted regularly in 1648-9 (in March, May, July, September, October and November 1648 and January to May, July, October and November of 1649), Dumfries Archive Centre, Town Council Minutes 1643-50, WA2/1, *passim*. The burgh's principal fair was cancelled in 1648 as it was feared it might spread the plague. It is also clear that the requirements of supporting the war were imposing serious burdens on the burgh, some of which are described in M.M. Stewart, ' "A Sober and Peceable Deportment": The Court and Council Books of Dumfries 1561-1661' in A. Gardiner-Medwin & J.H. Williams (ed.), *A Day Estivall* (Aberdeen, 1990), 148-9.

Plague and dearth were given a spiritual context by the church. Ayr remained largely untouched by plague until the winter of 1647. Having been plague free for so long, the arrival of plague in the burgh was seen as a sign of divine discipline for sin. William Adair, one of the ministers present at Mauchline Moor, preached on the subject of God's chastening as a means of bringing about repentance, with the result that public confessions of sin were made and recorded by the kirk session for posterity.⁵⁸ In the political environment of late 1647 and the public discussion over the correct response to the king's predicament, preaching of this nature would have been particularly inflammatory. To add to this already volatile situation the forced levy for an unpopular military campaign, which was being decried from pulpits as ungodly, was to invite some kind of popular reaction.⁵⁹

Perhaps the best explanation for the events at Mauchline was a contemporary one. Robert Baillie argued that it was caused by the explosive combination of 'the extream great oppression' of the military and the impact of 'our preaching and discourse'.⁶⁰ The kirk's opposition to the Engagement was crucial in mobilising opposition in the localities as ministers were required not just to oppose the Engagement but actively to speak out against it.⁶¹ Following the failure of the Engagement, one commentator observed that 'it is gruded a grater sin not to protest against that late Engadgement than to be an ordinary drunkard'.⁶² In 1648 the overwhelming majority of ministers in lowland Scotland resolutely opposed the Engagement and it was repudiated by the general assembly which met in July 1648. The nomination of William Colville, 'the pro-Engager candidate', as moderator of the 1647 assembly was defeated by four

⁵⁸ A.I. Dunlop (ed.), *The Royal Burgh of Ayr* (Edinburgh, 1953), 277-8.

⁵⁹ The Engagers prevented the kirk from publishing pamphlets against the Engagement, indicating the extent of the ideological influence of the kirk's protest. David Stevenson has suggested that the Engagers sought to use the printed word against the power of the pulpit by establishing a news sheet to combat anti-Engager propaganda. Only one edition was produced, containing a notice of Mauchline Moor, as its publication was overtaken by events at Preston. 'Scotland's First Newspaper, 1648', 123-6 and 'A Revolutionary Regime and the Press: The Scottish Covenanters and their Printers', 330-2, both of which are reprinted (with the original pagination) in his *Union, Revolution and Religion in Seventeenth Century Scotland* (Aldershot, 1997).

⁶⁰ Baillie, *Letters and Journals*, iii, 49.

⁶¹ Baillie, *Letters and Journals*, iii, 19-20, 63-4.

⁶² William Spang to Robert Baillie, 19 Mar. 1649, Baillie, *Letters and Journals*, iii, 80.

votes and has been cited as evidence that the kirk was severely divided over the Engagement.⁶³ In 1647, however, it was not yet clear on what terms the negotiations with the king were being carried out and the nomination of Colville, one of the ministers censured in 1648 for 'his silence about the Engagement', was complicated by the recurrence of the bitter debate about the lawfulness of private meetings, which led radicals such as David Calderwood to join with 'such whom some took to be more favourable to the Malignants than need were'. In the parishes of lowland Scotland, especially in areas of covenanter dominance such as Ayrshire and Fife, ordinary people would be hearing the denunciation of the Engagement and prayers against it week after week. Combined with the quartering of troops this was an explosive combination.

Regrettably, little is known of the contents of the sermons of the communion season at Mauchline or of what was discussed at the armed gathering on the Moor on Monday, 12 June. It is tempting to speculate that there may have been an element of social protest in the gathering at Mauchline. It was also a convocation of those who had strong political views concerning the unlawfulness of the Engagement, whose superiors were not taking action, reinforced by ministers who emphasised the sinful nature of the undertaking. The Mauchline Rising has been described as the response of 'the predominantly unenfranchised but disaffected',⁶⁴ of those who, unlike their superiors, did not have the wherewithal to resist the levy for the Engager Army. Nobles and lairds could distance themselves from the Engagement - indeed the participation of radical covenanting nobles such as Cassillis and Eglinton was not particularly welcome - but 'lesser men were liable to be forcibly enlisted to fight in a cause they believed to be evil'.⁶⁵ Mauchline was an abortive and premature reaction to the Engagement, carried out in a very incendiary situation in which talk of a general uprising in the west was already prevalent.

Some of those attending the communion at Mauchline may have been drawn into events. What we do not know is how many of those who went to Mauchline did so because it had been advertised that resistance would begin there or how many of the ministers went there for that specific purpose. Turner's account described Mauchline as originating in a communion to which many went armed because of the danger of

⁶³ Makey, *Church of the Covenant*, 74.

⁶⁴ Macinnes, 'Scottish Constitution', 126

⁶⁵ Stevenson, *Revolution and Counter-Revolution*, 109.

the times, an impression given credence by the fact that it only developed into a military confrontation when fighting broke out during the negotiations and the insurgents were attacked by the Engager force.⁶⁶ This does not, however, adequately explain why troops were dispatched to deal with it or the simultaneous meeting of nobles and gentlemen of Ayrshire at Riccarton who, finding that a rising was not taking place in Fife and that the Engager army was close by, 'resolved to lay aside all thoughts of resistance, and of this advertised the people at Mauchline'.⁶⁷ The most likely scenario was that in June 1648 there was planning for opposition to the Engagement in the covenanting localities, but that the nobility decided that the time was not appropriate, leaving those of lower social standing who had begun to gather in anticipation of an armed uprising isolated. As a result the action at Mauchline could indeed be described as an 'exercise in crowd control', but the Rising had the potential to be far more serious.⁶⁸ Baillie later said of the events in the west that 'now I find had proven a very high and dangerous commotion, had Callender delayed but two or three days to see to it'.⁶⁹

While the Mauchline Rising was an isolated incident, it is particularly interesting as an example of a populist, pro-covenanting uprising by those at the lower levels of society and which did not originate under aristocratic leadership.⁷⁰ The events at Mauchline did not, however, signal a breach between the covenanting rank and file and their aristocratic leadership. The conclusions which can be drawn from Mauchline are more ambiguous, highlighting the extent to which the participants in the Mauchline Rising looked towards the covenanting nobility for leadership, but were not acting in response to their superiors' commands and, when noble leadership was not forthcoming, continued to act independently. It has been suggested that there was the potential for an anti-Engager rising in the spring of 1648, but that it lacked leadership and that the noble leadership may have seemed possible at the outset.⁷¹ Immediately prior to Mauchline, a group of 2-3,000 anti-Engagers had gathered at Loudoun Hill and requested that Eglinton and David Leslie lead them, but dispersed

⁶⁶ Baillie, *Letters and Journals*, iii, 49; Furgol, *Regimental History*, 259.

⁶⁷ Baillie, *Letters and Journals*, iii, 48.

⁶⁸ Furgol, *Regimental History*, 259.

⁶⁹ Baillie, *Letters and Journals*, iii, 50-1.

⁷⁰ For an analysis of the social origins of known participants in the Mauchline Rising see chapter six above.

⁷¹ Stevenson, 'Battle of Mauchline Moor', 4.

on receiving no reply.⁷² The Engagers certainly considered the possibility of an organised counter-reaction to the Engagement. In July 1648, as the Army of the Engagement entered England, Baillie observed that⁷³

Our State, on pretence to attend to the Prince, whom, by my Lord Lauderdale, according to the agreement at the Isle of Wight, they are inviting hither, but really to keep downe insurrections of people in the West, are leavying one thousand five hundred horse more. They suspect deadly, that the dissenters in Parliament, with the help of the Church, may raise the countrey, if their army were once deeply engaged or worsted in England.

From the perspective of the nobility, the key meeting had been held at Irvine at the end of May between Argyll, Cassillis and Eglinton, which fuelled talk of resistance, but resulted in them taking no action.⁷⁴ The difference between Eglinton, Cassillis and Loudoun and the Mauchline communicants was not necessarily one of approach to the problem but rather a question of timing. It is certainly true to say the Engagement failed only when it was defeated militarily.⁷⁵ It is equally true that the radical response to the Engagement was made possible by the scale of the defeat at Preston.⁷⁶

This woeful defeat of the engagers in England made a great change on the face of affairs, and no small revolution in Scotland; for all that were not satisfied in point of conscience with the Engagement, and had suffered upon that account, made use of the opportunity offered for shaking off the yoke laid upon them by the engagers.

In June the army levied for the Engagement - a section of which had been used to put down the Mauchline Rising - was still in Scotland; by August the Engager forces were in disarray and the moment opportune for an armed insurrection. The speed at which the Whiggamore forces were raised and the degree of co-operation between the forces in the west, Fife and those raised by Argyll suggest that this was not a wholly spontaneous reaction. The outcome of the meetings held in the spring, at which the nobility had decided not to pursue action against the Engagement levies,

⁷² Stevenson, 'Battle of Mauchline Moor', 7

⁷³ Baillie, *Letters and Journals*, iii, 52.

⁷⁴ Baillie, *Letters and Journals*, iii, 48.

⁷⁵ Stevenson, *Revolution and Counter-Revolution*, 120.

⁷⁶ *Life of Blair*, 204.

was in reality the decision not to take action at that time, but to await a more favourable opportunity.

Their opportunity came after the defeat of the Army of the Engagement at Preston in August 1648. The Whiggamore Raid was not the Mauchline Rising writ large - it had noble leadership and was organised - yet the two events did share a number of common characteristics. While comparatively little is known about the personnel of either movement, the troops raised for the Whiggamore Raid were from a similar social background as those who had met at Mauchline. It is likely, although mere speculation, that some may have been involved in both events, particularly in the case of the troops raised by Loudoun at the end of August. Robert Montgomery, Eglinton's son, raised a force of Ayrshire men in late August and attacked a troop of Lanark's horse quartering locally. It would appear that Eglinton and Loudoun were first to raise an anti-Engager regiment from Ayrshire, which marched on Edinburgh and took the castle on 5 September. The anti-Engager forces gathered at Falkirk, where they were joined by troops raised by Cassillis, Lord Kirkcudbright, Argyll, a force from the western borders raised by the earl of Buccleuch and by a contingent from Fife. There were reportedly many ministers with the army, especially from the west.⁷⁷

The response by Argyll, Cassillis, Eglinton *et al* was very politically astute. The Engagement had made Scotland a military threat to the English Parliament. Without the takeover of the government by the anti-Engager forces in 1648, the aftermath of the defeat at Preston might have had the same results as the defeat in the campaigns of 1650-1, with the invasion of Scotland and its military suppression.⁷⁸ Rumours as to Cromwell's intentions abounded, including the suggestion in early September that Cromwell and Lambert were upon the border and would enter Scotland if invited to repress the remnants of the Engager Army.⁷⁹ There was still the potential for an Engager reaction to the Whiggamore Raid. Argyll's levy was responsible for keeping Stirling, to ensure that the Engager army did not join with malignant forces in the north, but was defeated by a pro-Engager force.⁸⁰ As a result of this⁸¹

⁷⁷ Furgol, *Regimental History*, 292-5; *Life of Blair*, 204-5.

⁷⁸ While Cromwell had not militarily secured England by August 1648, Scottish support for Charles was a threat to English security and it is significant that he did follow the Engager army north to the border.

⁷⁹ *Life of Blair*, 206.

⁸⁰ Furgol, *Regimental History*, 292.

The English army upon the borders, hearing that the engagers had gained the pass at Stirling, and that they were waxed a great deal prouder than before ... did enter the kingdom of Scotland minding either to force the engagers to agree upon reasonable terms or otherwise to subdue them.

By late September there were three armies present in Scotland, the forces of the Whiggamore Raid, the remaining Engager forces and Cromwell's troops. An agreement was reached on 28 September by which all forces were to be disbanded with the exception of a small anti-Engager force and, crucially, all those associated with the Engagement were to be debarred from public life until the next meeting of parliament.⁸² The Engagement had been defeated and the radical covenanters returned to power.

By mid-September the Engager forces had experienced a major defeat and an anti-Engager force raised for the first time, but the *putsch* or *coup d'etat*, as the Whiggamore Raid has been varyingly referred to, was far from secure.⁸³ The presence of Cromwell's troops in Scotland had forced the remaining Engagers to come to terms more readily and prevented a military response to the Whiggamore Raid. 'The engagers, hearing of the English's army's entering the kingdom, became a great deal more calm, and a great deal more reasonable in their demands'.⁸⁴ The extent to which this was a Cromwellian 'puppet regime' is, however, debatable.⁸⁵ Undoubtedly Cromwell was relieved at leaving the government of Scotland in the hands of known anti-Engagers, not least because it saved him from dealing with Scotland militarily at this juncture. While immediate self interest cannot be discounted, it was also Cromwell's preference to have a sympathetic regime in place in Scotland; the military solution was only employed when it became essential to England's security.⁸⁶ He had

⁸¹ *Life of Blair*, 207.

⁸² *Life of Blair*, 208-9.

⁸³ J. Morrill, 'The National Covenant in its British Context', in Morrill (ed.), *Scottish National Covenant*, 20; D. Stevenson, 'Cromwell, Scotland and Ireland', in J. Morrill (ed.), *Oliver Cromwell and the English Revolution* (London, 1990), 153.

⁸⁴ *Life of Blair*, 208.

⁸⁵ For a discussion of the attitudes of the commission of the kirk and the committee of estates towards former Engagers and seeking English assistance see J.R. Young, 'Scottish Covenanting Radicalism, the Commission of the Kirk and the Establishment of the Parliamentary Radical Regime of 1648-1649', *RSCHS*, xxv (1995), 347-53.

⁸⁶ Stevenson, 'Cromwell, Scotland and Ireland', 152-4.

been careful in his dealings with the anti-Engagers. On 16 September he wrote to advise them that 'wee are, and shalbe, soe farr from seeking the harm of the weel affectit persons of the kingdom of Scotland', that his sole demand was the restitution of Berwick and Carlisle as military garrisons and that any reprisals would fall solely upon the 'contrivers of the Engagement'. He wrote again on 21 September, to apologise for any potential misunderstanding which might have arisen as a result of a cross border military action.⁸⁷

The troops that Cromwell left in Scotland would have been useful, particularly as the forces which had been raised to march on the capital were disbanded to return to their localities in time for the harvest, in itself a very telling comment on the composition of the Whiggamore army.⁸⁸ As many of the military commanders had not supported the Engagement, the Cromwellian troops were not, however, crucial to the long term security of the regime after the Engager troops had dispersed. They were there solely until the forces which had been allowed for in the September agreement could be raised. Obviously Cromwell wished to ensure that the Engagers did not return to power and, in his meetings with the radical covenanting leadership in Edinburgh in October 1648, suggested the implementation of what would become the Act of Classes on 23 January 1649. However, the radical regime would have implemented something very like the Act of Classes even without Cromwell's urging and the agreement of 28 September with the Engagers had already stipulated that they be kept out of political life until the next meeting of parliament. The campaigns of Montrose had been followed by a similar Act of Classes and the extent to which the radical regime would be a purged one was underlined by the action taken against Engagers in the south-west.

On 22 December 1648 the kirk session of Dumfries decreed 'that all persons or soldiers who did willingly imbarke on ... the late unlawful Engagement shall forthwith depart the town and parish and the putting of this action to execution to the magistrates.'⁸⁹ The presbyteries of Ayr and Irvine met on 28 November 1648 to agree

⁸⁷ *Records of the Kirk of Scotland*, 567-8; *APS*, vi, pt ii, 886.

⁸⁸ Furgol, *Regimental History*, 293-5.

⁸⁹ Dumfries Archive Centre, Dumfries St Michaels Kirk Session Minutes, 1648-1661, CH2/537/13. The kirk session minutes begin on 30 November 1648 with the admission of a new minister and the first piece of business was to note the slackness of elders in session business and introduce fines for non-attendance.

a common strategy for defining categories of malignancy and the action which was to be taken against them.⁹⁰ The two presbyteries identified a bewildering variety of offences, ranging from simply agreeing to support the Engager levy, to assisting in the quartering of troops, to those who outfitted troops for the Engagement, even if they had done so unwillingly. Despite the general trend in Ayrshire to oppose the Engagement, the area had produced some malignants, particularly as the Engager troops in the locality had been levied for a regiment led by Lord Montgomery, Eglinton's son.⁹¹ The presbytery of Irvine took action against malignants in the parish of Largs, the northernmost parish of Ayrshire. Robert Boyd of Closeburn was alleged to have said that 'I thank God there is an ill day come upon the Puritans' and to have favoured the Engagement. Boyd admitted his lack of opposition to the Engagement but denied his anti-puritan speech. John Nevay, the minister of Loudoun and a participant in the Mauchline Rising, who had already been commissioned by the presbytery to go to Largs and tender the Covenants on the sabbath evening, was charged with investigating the case against Boyd of Closeburn and examining the witnesses whom the session clerk was directed to gather. Henry Kelso was also accused of malignancy, as he had been active in the quartering of the Engagement forces in the district. Kelso had previously been examined by the presbytery of Irvine for malignancy on 20 November 1646.⁹²

The prosecution of those implicated in the Engagement was not confined to the kirk. The shire committees for war also considered evidence against former Engagers, such as the action taken against Ross of Balneil by the committee for Wigtownshire in 1649. The main difference was that, where the ecclesiastical authorities sought moral and spiritual repentance, the civil bodies were looking to exact financial restitution from former Engagers. Thus Ross of Balneil was invited to turn in fellow Engagers and share out the financial burdens and penalties that were to be imposed.⁹³ Several of those granted compensation for losses incurred as a result of their participation in the Mauchline Rising were required to seek redress from those who had been involved in putting down the Rising, who were themselves offered the option of implicating others to obtain relief. The prosecution of Engagers shows that

⁹⁰ These are printed in J. Paterson, *A History of the County of Ayr: with a genealogical account of the families of Ayrshire*, 2 vols. (Ayr, 1847), i, 123-4.

⁹¹ Paterson, *History of the County of Ayr*, i, 124.

⁹² NAS, Extracts from Irvine Presbytery, 1646-50, CH2/192/1, 28 Jul. 1649.

⁹³ *APS*, vi, pt ii, 494.

opinion in the south-west was not wholly opposed to the Engagement; however, at the local level pro-Engagers were a small minority. They were vigorously pursued in the locality not because they were numerous, but because this was a strongly covenanting locality which wished to disassociate itself from the Engagement. This was made possible by the fact that the local community was under covenanting control, which could be utilised politically. The witnesses in the case against Major George Greir for damage done in Ayrshire were heard in the locality by men appointed by parliament, small lairds who were not on the committee of war.⁹⁴ The radical regime was able to mobilise a wide cross-section of the local community in order to redress the damage done by the Engagement.

The Radical Regime, 1648-50

The first session of parliament controlled by the radical covenanters opened on 4 January 1649. It was attended by only sixteen nobles, the lowest noble representation of any covenanting parliament and a dramatic reduction from the fifty-six nobles who had attended the Engager parliament of March 1648, which had seen the full spectrum of covenanting opinion augmented by royalists. Five of these nobles - Loudoun, Cassillis, Eglinton, Kirkcudbright and Cathcart - were from the south-west. The parliament of 1649 constituted a radical rump, all those implicated in the Engagement having been excluded from political life by the agreement of 28 September 1648, an arrangement which was solidified by the Act of Classes of 23 January 1649. As a result, nobles from the south-west - one of the key power bases of the radicals - played a major role in the administration, as did commissioners from the south-western shires and burghs, particularly in the committee structure.⁹⁵ As parliament, session committees and shire committees of war were purged, the membership of these bodies also gives an insight into the composition of the radical party in the locality.

John Livingstone preached before the opening session of the 1649 parliament on the theme of 'who is willing this day to consecrate his service to the Lord'.⁹⁶ This regime is often somewhat scathingly described as 'the kirk party' parliament, a period in which government 'fell into the hands of the radical leadership in the kirk and its

⁹⁴ *APS*, vi, pt ii, 165-7.

⁹⁵ Young, *Scottish Parliament*, 237.

⁹⁶ Balfour, *Works*, iii, 373.

cowed aristocratic spokesmen'.⁹⁷ The use of the term kirk party as a description of the regime as opposed simply to a label for it, has created a somewhat erroneous picture of an administration in which the nobility were marginalised and the ministers were dominant. The 1649 parliament has been described by one historian as 'a parliament that had been called to please a foreign general' which 'lingered on to become the hangman of the kirk'.⁹⁸ As the analysis of the south-west's role in the radical post-Engager regime suggests, the faction who came into power in September 1648 were a radical rump of the covenanting laity, who had been involved in the opposition to Charles from the beginning and who had now assumed power.

This is not to deny that there was a close relationship between the lay covenanters and the kirk. As the radical regime constituted a minority government, the church was an important bulwark to it, not least because it provided an ideological basis for the regime. As Balfour put it, the parliamentarians had to pay heed to the kirk's petitions 'lest the leaders of the church should desert them, and leave them to stand on their awen feeitt, which without the church none of them could weill doe'.⁹⁹ The nobles from the south-west would have been mindful of the role that the ministers had played in promoting local opposition to the Engagement and did not underestimate the power of the pulpit as a means of spreading political ideology. The kirk constituted an important link with the covenanting localities which had brought the radical regime to power. The links between the church and the nobles of the radical party such as Loudoun, Eglinton and Cassillis, as well as nobles from Fife such as Balmerino, went back to the prayer book riot and beyond. Although more radical ministers such as James Guthrie were now represented in the public life of the kirk, ministers such as Blair, Livingstone, Baillie and Dickson, all of whom had long-standing connections with the covenanting laity, were still dominant. As long as the kirk and the radical covenanters were able to find common ground a close working

⁹⁷ M. Lee, 'Scotland, the union and the idea of a "General Crisis"', in Mason (ed.), *Scots and Britons*, 53. A similar picture of a clerical dominated state is found in G. Donaldson, *Scotland: James V-James VII* (Edinburgh, 1965), 338-9. The term 'kirk party' has entered into general usage to describe the nature of the regime, e.g., Lynch, *New History*, 277-8; E. Furgol, 'The Civil Wars in Scotland', in J.P. Kenyon & J. Ohlmeyer (eds.), *The Civil Wars: a military history of England, Scotland and Ireland, 1638-1660* (Oxford, 1998), 68-9. A more accurate description of 1648-9 as 'a radical regime' can be found in Macinnes, 'The Scottish Constitution', 126-8 and Young, 'Scottish Covenanting Radicalism'.

⁹⁸ Makey, *Church of the Covenant*, 77.

⁹⁹ Balfour, *Works*, iii, 391.

relationship was both possible and mutually beneficial. The kirk was equally sensible that it was secured by the regime and remembered the pressure it had been under in 1648 by the pro-Engagers; it had, for example, been feared by some that the success of the Engager army would lead them to suppress the commission of the kirk.¹⁰⁰ It was, therefore, with a sense of gratitude that one minister described the parliament of 1649 thus: 'This Parliament was judged by honest ministers, that did hate both the black and white devil-malignants and sectaries, a very good and honest Parliament ... there was a sweet harmony betwixt this Parliament and General Assembly, which was comfortable to both'.¹⁰¹

There was significant common membership of parliament in 1649 and the commission of the kirk; three of the nine parliamentary nobles on the commission of the kirk - Cassillis, Eglinton and Kirkcudbright - were from the south-west. The commission of the kirk which operated in the early months of 1649 was first established in August 1648. A new commission was established in August 1649, which included Cassillis and Eglinton and a significant number of burgesses from the south-west: William Glendinning, Hew Kennedy, Thomas McBirnie, John Corsan and Robert Barclay.¹⁰² Although the lay members of the commission seldom attended meetings there was regular contact between parliament and the commission. On the 2nd of February, for example, the parliament called for a day of fasting and humiliation, the only piece of business recorded as being transacted that day, and appointed Cassillis, Archibald Johnston of Wariston and Alexander Jaffray to communicate this to the commission of the kirk.¹⁰³ The legislation of the 1649 parliamentary session did have an ecclesiastical flavour to it, e.g., the legislation against the worshipping of false gods and blasphemy. Some of these acts were, however, repeating earlier legislation, such as the act against swearing and drunkenness which was a reiteration of earlier legislation of 1645.¹⁰⁴ The most

¹⁰⁰ Baillie, *Letters and Journals*, iii, 65.

¹⁰¹ *Life of Blair*, 221.

¹⁰² *Records of the Kirk of Scotland*, 514-5, 549-50; Young, 'Scottish Covenanting Radicalism', 353-4.

¹⁰³ *APS*, vi, pt ii, 152.

¹⁰⁴ *APS*, vi, pt ii, 174, 208. The influence of the commission of the kirk upon the parliamentary programme is examined in Young, 'Scottish Covenanting Radicalism', 357-60. The act against witchcraft is often quoted in this connection. There does not, however, seem to have been a rash of witchcraft trials in the south-west in 1649-50. The area was not included by Balfour in his account of the areas in which the

important item of ecclesiastical legislation was the abolition of lay patronage on 9 March 1649, passed as the result of a concentrated lobbying campaign by the kirk.¹⁰⁵

As well as seeking to establish social control as, for example, in the Act anent the Poor, there was also an element of socio-economic concern in the 1649 legislation,¹⁰⁶ particularly with regard to the oppression of tenants by their masters. In practice, however, this was normally reserved for oppression by royalist or malignant landlords. In 1649 the petition was granted of a group of tenants of the earl of Annandale, who had denounced them rebel, put them to the horn and imprisoned two of them in the tolbooth at Dumfries. The court of session ruled against Annandale and in favour of the tenants.¹⁰⁷ The heritors of the barony of Glencairn also petitioned parliament on the grounds that agents for the earl of Queensberry at the Isle of Wight had obtained a gift of the regality of the barony from Charles I, despite the fact that Queensberry owned no land within the barony. They further claimed that he sought 'to draw the supplicants to verie great tryall and charges and will not faill at length by so doing to lay thair wholl lands waist'.¹⁰⁸ Parliament annulled Queensberry's acquisition of the regality of the lands and barony of Glencairn in an act which touched on three key areas for the 1649 parliamentary session: the vexed question of

persecution was strongest [Balfour, *Works*, iii, 436-7], an observation which is borne out by the data in C. Lerner *et al*, *A Source Book of Scottish Witchcraft* (Glasgow, 1977). The burgh of Dumfries did choose a councillor on 21 January 1650 'to go to Edinburgh to bring in ane commissioun anent the witches dittay', Stewart, 'Court and Council Books of Dumfries', 149. The reasons why there does not appear to have been a witch hunt in the south-west in this period are unclear. The area had been associated with trials previously, e.g., the printed accounts of the burgh of Ayr contain several references to expenses incurred in connection with the imprisonment and execution of witches prior to 1625, *Ayr Burgh Accounts*, ed. G.S. Pryde (SHS, 1937), 156, 183, 268. Possibly the locality's distance from Edinburgh is relevant in the context of the 1649 witch hunt or, conjecturally, local efforts, particularly in Ayrshire, were turned towards rooting out opponents of the Covenants. Two of the three burgesses on the committee established by parliament in May 1650 to consider accusations of witchcraft were from the south-west (Robert Barclay of Irvine and Thomas McBirnie of Dumfries), none of the noble or shire representatives were from the south-west, *APS*, vi, pt ii, 565.

¹⁰⁵ Young, 'Scottish Covenanting Radicalism', 358-8.

¹⁰⁶ D. Stevenson, 'The Covenanters and the Court of Session, 1637-50', *Juridical Review* (1972), 243.

¹⁰⁷ *APS*, vi, pt ii, 515.

¹⁰⁸ *APS*, vi, pt ii, 228.

gifts given out by Charles since 1641, the possibility of oppressive actions by superiors and retributive action against supporters of the Engagement. To have been an Engager made getting a fair hearing difficult, at least in the early months of the radical regime.

Secular disputes were also complicated by the factional politics of 1649. The Engager parliament of 1648 had seen a series of duels, between Lord Cranston and Viscount Kenmure, Argyll and the earl of Crawford Lindsay and Eglinton and Glencairn, to the extent that the general assembly passed an act in August 1648 'taking in consideration the many duels and combats that have bene made' and detailing the process for censuring those involved in duels.¹⁰⁹ The conflict between Argyll and Crawford Lindsay arose directly out of the tension which surrounded the 1648 parliament. Baillie suggested that Argyll's enemies had accused him of cowardice and that Argyll had taken offence at comments by Crawford Lindsay, including his alleged claim that he was a better man than Argyll. Both men met at Musselburgh Links with their seconds, but the duel was halted before it began.¹¹⁰

The disagreement between Eglinton and Glencairn was more complex and would have long term implications. It arose out of a cocktail of intense local rivalry and a history of feuding between the two families.¹¹¹ This traditional rivalry was exacerbated by the circumstances in which the 1648 parliament met, Glencairn having moved from being a moderate covenanter to an active Engager, while Eglinton was one of the few nobles totally opposed to the Engagement. The immediate cause of the dispute originated in the terms of Glencairn's grant of a peerage. Alexander Cunningham, Lord Kilmaurs, had been created earl of Glencairn by James III on 28 May 1488 in return for his support in the rebellion against the king. In less than three weeks both James III and Glencairn were dead after the battle of Sauchieburn and Glencairn's patent for the earldom was one of those revoked by James IV.¹¹² Alexander's grandson, Cuthbert, was later restored to the title by James

¹⁰⁹ Baillie, *Letters and Journals*, iii, 36; *Acts of the General Assembly of the Church of Scotland*, ed. T. Pitcairn (Edinburgh, 1843), 200.

¹¹⁰ Baillie, *Letters and Journals*, iii, 36.

¹¹¹ For an analysis of the earlier feud and the positions of the two earls in their localities see K.M. Brown, *Bloodfeud in Scotland, 1573-1625: Violence, Justice and Politics in an Early Modern Society* (Edinburgh, 1986), 85-102.

¹¹² N. Macdougall, *James III: a political study* (Edinburgh, 1982), 253-7.

IV in 1503, the same monarch who created the other Ayrshire earldoms of Eglinton and Cassillis in 1507 and 1509 respectively. The disagreement between Glencairn and Eglinton was fuelled by a potent mix of local rivalry and political differences; the resolution of the dispute made reference to the fact that Eglinton was unable to produce documentation to support his side of the argument because Glencairn's ancestor had set fire to Eglinton Castle in 1524 and with it the required evidence'.¹¹³

In January 1648 Eglinton began an action in the court of session against Glencairn, in the course of which Glencairn produced the 1488 patent as evidence. The situation was complicated as, even dating the creation of the earldom of Glencairn to its restoration in 1503, it still predated Eglinton's title. The question of parliamentary precedence was heightened at the opening of parliament in 1648,¹¹⁴ at which Eglinton registered his protest that the calling of Glencairn before him should not prejudice him of his place in parliament.¹¹⁵ While the exact date of the duel is not clear, from Baillie's account it appears to have been towards the beginning of the parliament. By the time the matter came to a resolution in the early months of 1649, the political situation had changed. Eglinton was now one of the nobles underpinning the radical regime and Glencairn was excluded from political office for life as one of the 'plotters, cheef actors, Pryme Promotters of the Engagement from the beginning'.¹¹⁶ In March Glencairn was cited for not having compeared to hear the judgement of his case and found to have produced a 'pretendit patent', which was declared not only to be null and void but was not to be produced in any case in the future or the title to the earldom itself was to be nullified. It was later enacted that, on the basis of the nullity of the 1488 patent, Eglinton and his successors were to have 'right of precedence and priority in rank and place' over Glencairn and his heirs.¹¹⁷ While it is not possible to say whether politics had directly affected the legal judgement, the way in which the

¹¹³ *APS*, vi, pt ii, 260.

¹¹⁴ A Decreet of Ranking, referred to in the 1649 ruling, had been produced prior to the 1606 parliament in which Glencairn had been placed ahead of Eglinton. Nobles were to take their places in the 1606 parliament according to their position in the Decreet of Ranking, which the king elaborated on in his instructions regarding the riding of parliament in 1606: 'all the Erlls, two and two togidder, according to their antiquitie ... whiche forme and ordoure we wold haif observed not onlie in this rydeing bot in thair voting in the Parliament House', *RPC*, 1st series, vii, 218, 533-4.

¹¹⁵ *APS*, vi, pt ii, 2.

¹¹⁶ *APS*, vi, pt ii, 201.

¹¹⁷ *APS*, vi, pt ii, 229-31, 247-61.

case was presented was certainly coloured by the politics of the period. Glencairn's ancestors were criticised for their past violence although Eglinton's family were equally guilty and the 1st earl of Glencairn was characterised as one who gave 'perverse counsell and pernicious assistance' to James III, with the implication that the shortcomings of the earlier earls of Glencairn were reflected in the current holder of the title.¹¹⁸

This was not surprising as, aside from establishing the legitimacy of the regime and passing legislation consonant with a godly, covenanted government, the parliamentary session of 1649 was also retributive. As it consisted solely of the most consistent covenanters, they were able to use the parliamentary process to ensure the realisation of their personal agendas. The 1649 Act of Classes had been framed in accordance with the September 1648 treaty which had guaranteed that retributive action would not be taken against former Engagers, either physically or materially; in practice this stipulation was largely circumvented.¹¹⁹ Several cases raised in 1649 related to claims which originally pre-dated the Engagement. In August 1649 Sir Andrew Agnew of Lochnaw petitioned parliament in his capacity as executor to his brother James, formerly in the Army of the Solemn League and Covenant, who had been at Philiphaugh as lieutenant colonel of Lord Kirkcudbright's regiment. The regiment had been granted a payment of 15,000 merks for their services at Philiphaugh, to be raised from Lord Herries, who was forfeit as a malignant. Agnew's complaint was that neither his brother or the regiment had received any monies. His supplication was granted and Agnew was awarded the sum of 3,750 merks on behalf of his dead brother. While this was hardly controversial, in an action very reminiscent of the treatment covenanters in the south-west had recently received as a result of the Engagement, troops were ordered to be quartered on Herries' lands until payment was made.¹²⁰

Several individuals who came to prominence in 1649 had made a considerable financial contribution to the covenanting cause, not just in terms of raising regiments and paying for the defence of their localities but also as direct lenders to the covenanting regime. In 1643, for example, a number of covenanting nobles, including Loudoun, Eglinton and Cassillis had made substantial loans towards the

¹¹⁸ *APS*, vi, pt ii, 230.

¹¹⁹ Young, *Scottish Parliament*, 222.

¹²⁰ *APS*, vi, pt ii, 743.

maintenance of the Ulster Army.¹²¹ In March 1649 Cassillis petitioned parliament to be allowed to borrow money from 'such ... of his own qualitie whais cariag in the publick affaires the saidis Estaites of parliament are not satisfied'. He expressed the hope that this act could be extended to others to whom substantial sums were owed 'and might be eased by borrowing from engageris of thair owne qualitie'.¹²² The element of collusion on this petition was obvious, as Eglinton immediately thereafter requested to be allowed to borrow from Engagers on the same basis as Cassillis had been permitted to.¹²³

This did not necessarily ensure that either noble received any monies due to them. Virtually all covenanters of any substance were either creditors to the regime or due to be recompensed for money expended in the covenanting cause. Eglinton had, for example, submitted a request for repayment of the exact same debt to the Engager parliament.¹²⁴ Although his petition was granted, at no time did the covenanting executive have the funds to pay all of the sums of money owed by it. The difference in 1649 was that only anti-Engagers were able to seek relief for public debts and that supporters of the Engagement offered a ready source from which to meet them. The covenanting nobility had themselves borrowed heavily to meet the costs of a decade of warfare. In 1643, for example, Eglinton had complained that he was still owed 48,717 merks for forces he had equipped in 1639, 'For the greatest part of whilk hail soumes my Lord hes peyed annuelrent upoun bondes thir three yeares bygane'.¹²⁵ It was, therefore, hardly surprising that in July 1649 the nobility led by Cassillis, pressed successfully for the reduction of annual rents to 6%, despite strong opposition by the burghs.¹²⁶

The post-Engagement regime provided an opportunity for personal advancement for covenanters from the south-west. Cassillis replaced Glencairn as Justice General and

¹²¹ More conservative nobles including Glencairn had also contributed. *RPC*, 2nd series, viii, 83-4.

¹²² *APS*, vi, pt ii, 279-80.

¹²³ *APS*, vi, pt ii, 283.

¹²⁴ *APS*, vi, pt ii, 77.

¹²⁵ W. Fraser (ed.), *Memorials of the Montgomeries, Earls of Eglinton*, 2 vols. (Edinburgh, 1859), ii, 291-3.

¹²⁶ Baillie, *Letters and Journals*, iii, 99. Interest rates remained at 6% after the Restoration, *APS*, vii, 320.

William Douglas of Mouswald was appointed sheriff of Dumfries.¹²⁷ Agnew of Lochnaw was confirmed in his office of sheriff of Wigtownshire. Loudoun was similarly reconfirmed as sheriff of Ayr, in addition to the confirmation of the pension granted to him by Charles I in 1641.¹²⁸ The clearest example of the radical covenanters of the south-west using the 1649 parliament to meet their own agenda came in the field of finance. As compensation for losses experienced as a result of the Engagement, the well affected in the western shires were discharged of any maintenance unpaid between March and October 1648.¹²⁹ In August 1649 parliament ordered a new valuation roll to be drawn up, recognising that the valued rents of many shires would have been altered by a decade of war. The burden of taxation was redistributed as previously the western shires had been paying sums amounting to a higher proportion of their valued rent than their eastern counterparts. This action was possible as many eastern nobles were excluded from parliament due to their participation in the Engagement; even so nearly half of those present in parliament walked out in protest at the move.¹³⁰ According to Baillie:¹³¹

Our Westland shyres had, in the rates of monthly maintenance in bygane tymes, been burthened above other shyres. Oft they had complained; bot no redress; they resolved therefore, now or never, to have it helped. Cassillis, Cessnock, Sir John Cheislie, and others, got it so contrived, that ane act passed for their ease, with the burthening of the Eastern shyres. Against this they entered a protestation ... well near the half of the Parliament ... with their protestation they arose and left the House. This division was very faschious and scandalous: it continued near a fortnight; bot was at last accommodat: yet so that the Westland-men had their desyre.

¹²⁷ *APS*, vi, pt ii, 316-7.

¹²⁸ *APS*, vi, pt ii, 372-3.

¹²⁹ *APS*, vi, pt ii, 153-4; D. Stevenson, 'The Financing of the Cause of the Covenants', *SHR*, li (1972), 114.

¹³⁰ Stevenson, 'Financing the Cause of the Covenants', 116-7. This is a separate issue from the western shires' claims that they had been overtaxed on the basis of old extent, which is discussed in chapter eight below. The covenanting taxes were calculated on the basis of valued rent. When the loan and tax had been imposed in 1643, it had been intended that, when the valuations were complete, any inequalities would be rectified. This, however, had not taken place and, when the monthly maintenance was introduced in 1645, it was divided in the same proportions as the loan and tax. For the extent to which the western shires had been over taxed in comparison with the east see Stevenson, 'Financing the Cause of the Covenants', 116.

¹³¹ Baillie, *Letters and Journals*, iii, 98.

The south-west proved able to translate its role in defeating the Engagement into material benefit for the locality.

The Reaction to the Execution of the King

The Scots were not taken unaware by events in England, as their commissioners in London - William Glendinning, Loudoun and Sir John Chiesley - had kept them informed about Charles's trial. The committee of dispatches, assisted by Dickson, Rutherford, James Guthrie, Patrick Gillespie, Robert Douglas and John Row representing the kirk, convened on 6 January 1649 to draw up instructions for the commissioners in London 'anent the Englishe speedey procedure contrairey all law, against the Kings lyffe'.¹³² The only dissent was over whether or not their deliberations should be postponed until after the day of fasting which had already been arranged, but the committee concluded that the king's life was in immediate hazard and set to work.¹³³ The document produced by the committee and voted on in parliament was indicative of the regime's attitude towards the monarch. They in no ways attempted to justify Charles's behaviour, indeed recognised that it was open to criticism, but deplored the actions which were being taken in England.

Parliament met on 5 February 1649 in response to the news of the execution of Charles I and to proclaim Charles II as king. Charles was proclaimed king not just of Scotland but also of England. Much has been made of this but, as Charles was proclaimed king of France as well as of the three kingdoms, it was a formulaic response. It was also an immediate reaction which did not yet mean a breach with England as the English parliament did not proclaim the republic until a month later, although they were careful to do so without reference to Scotland. More significantly, it shows that the Scots could not divorce themselves from the British dimension of the conflict. Charles II could not be separated into his English and Scottish bodies and the execution of the king went against the agreement that the Scots fondly imagined they had with England, broken by 'these treacherous and covenant-breaking king-murderers in their dreadful and desperate career of wickedness'.¹³⁴ The proclamation of Charles II as king was also essential to the immediate survival of the regime. While the radical regime had come to power as a result of military activity, through

¹³² Balfour, *Works*, iii, 385.

¹³³ Balfour, *Works*, iii, 383-5.

¹³⁴ *Life of Blair*, 214.

the intervention of the Whiggamore forces and of Cromwell, once in power it was a political administration. Since the capture of Charles I had promoted the development of a royalist party, how much more so his execution. The proclamation of Charles II as king was essential to neutralise any potential royalist response.

The acceptance of Charles II was not, however, unconditional. Subjects were bound to obey the king according to both Covenants, while the king was 'bound by the law of god and the fundamentall Lawis of this kingdom to rule in righteousness and equitie'.¹³⁵ Baillie feared the consequences of Charles II not accepting the Covenants.¹³⁶

His Majesties joyning with us in the Nationall Covenant, subscribed by his grandfather King James and the Solemne League and Covenant, wherein all the well affected of the three Kingdomes are entered and must live and die in, upon all hazards:- If his Majestie may be moved to joyne with us in this one point, he will have all Scotland readie to sacrifice their lives for his service: if he refuse or shift this duety, his best and most usefull friends, both here and elsewhere, will be cast into inextricable labyrinths.

It has often been pointed out that even the most radical covenanters in Scotland had not developed a republican philosophy.¹³⁷ At the most basic level, Charles II was king simply because his father was dead. They had, however, developed something very like the idea of a limited monarchy, defined by duties and responsibilities and curbed by statute. Charles had been proclaimed as king but he would have to give satisfaction under the Covenants before being allowed to exercise his authority.¹³⁸ This was an important distinction as attitudes towards the king - whether personal loyalty to Charles I, loyalty to the legitimate king no matter who he was, or loyalty to the concept of monarchy rather than unconditional support of a specific monarch -

¹³⁵ *APS*, vi, pt ii, 157.

¹³⁶ Baillie, *Letters and Journals*, iii, 66.

¹³⁷ For example, Maurice Lee argues that 'One of the remarkable aspects of the upheaval in Scotland was that it produced no separatist movement among the king's enemies. Nor, by contrast with England, did it spawn any republican sentiment', 'Scotland, the union and the idea of a "General Crisis"', 53. It should, however, be noted that the king's opponents in England had not really developed a republican ideology until forced into it by events. Arguably, the situation in which the radical covenanters found themselves in Scotland precluded the development of a republican philosophy.

¹³⁸ *APS*, vi, pt ii, 157.

were a major factor in defining the patterns of allegiance in the south-west and indeed throughout Scotland.

The nature of their response to Charles II was to prove critical to the covenanting radical rump. While 1649 was the highpoint of the radical regime in which they secured their hold on the executive and enacted their legislative programme, the events which were unfolding effectively signalled its demise. The necessity, both ideological and practical, of proclaiming Charles as king and their inability to distinguish between Charles as king of Scots or as king of all three kingdoms effectively precluded any rapprochement with Cromwell. Nor did the kirk, which might have been expected to be wary of Charles II, have a high opinion of the Cromwellian alternative. The Scottish parliament resolved that its commissioners in London, who had reported the news of the king's execution, should immediately go to Holland to meet with Charles II. The church ordered its commissioner in London, Robert Blair, to join with them, but they were apprehended by Cromwell.¹³⁹ The first delegation from the covenanters to reach Holland in March 1649 failed to reach an agreement with the king, as Charles was still looking to developments elsewhere before he would make the concessions required of him. It was not until March 1650 that a second Scots delegation concluded an agreement with Charles II. Crucially, the monarch who returned to Scotland in 1650 was an, albeit very reluctantly, covenanted king.

Could the radical covenanters have come to an agreement with Cromwell? While not impossible it would have been extremely difficult. Although it is possible to argue that events in Scotland and England had developed along parallel lines - both Argyll and Cromwell presided over minority, godly, purged parliamentary regimes, put in place by the strength of the army - the similarity was largely accidental and not based in a shared ideology. The radical covenanters of 1649 were as inflexible in their response to the execution of the king as they had been to the Engagement. One of the strengths of the radical regime, the strength of its base in the covenanting localities, was also a potential weakness when it came to accommodating with Cromwell. Even if the political elite could have brought themselves to agree with Cromwell, selling this to the localities would have been extremely difficult. Argyll did not have the equivalent of the New Model Army and needed, therefore, the military support of the covenanting localities. As a minority government, any political stance that the radical

¹³⁹ Balfour, *Works*, iii, 388; *Life of Blair*, 216-17.

regime took would have needed overwhelming support from Fife and the west. Here the ideological support that the church gave was crucial. For nobles from the south west, the memory of the Engagement and of the effect that preaching in the locality had had on forming popular opinion, which had allowed them to seize power in 1648, would have taught them that to have the kirk on board was essential to securing the support of their own locality. The problem was best expressed by Cromwell himself, who explained to the council of state in March 1649 that 'In the kingdom of Scotland, you cannot too well take notice of what is done nor of this; that there is a very angry, hateful spirit there against your army, as an army of sectaries, which you see all their papers do declare their quarrel to be against'.¹⁴⁰

The south-west, which had been so forward in opposition to Charles I, was now committed to supporting his son. The conflict with Cromwell effectively opened a new chapter for the radical covenanters of the south-west which changed the patterns of allegiance beyond all recognition. It is, for example, unwise to characterise an individual as a royalist solely on the basis on his response to Charles II. The issue was still the question of attitude to the king. The difference was that the king was now a covenanted king and the alternative was Cromwell, the New Model Army and Independency.

The radical regime was willing to support Charles II, but on its own terms. In view of the king's imminent return, it was decreed on 6 June 1650 that those delinquents excluded from public life under the first and second Act of Classes should not be allowed to come into contact with the king. Sixteen named individuals, including the earl of Dumfries and Charteris of Amisfield, were prohibited from returning to, or remaining within, the kingdom without the permission of parliament.¹⁴¹ Charles finally subscribed the Covenants on 23 June 1650, before he landed on Scottish soil. The army raised to support him was still an army of the godly, purged of malignants. As Rutherford put it in a letter to Colonel Gilbert Ker, a future commander of the Army of the Western Association, in August 1650: 'Sir, I wish a clean army, so far as may be, that the shout of a King who hath many crowns [i.e. Christ] may be among

¹⁴⁰ Quoted in Stevenson, 'Cromwell, Scotland and Ireland', 155.

¹⁴¹ Balfour, *Works*, 41-2. The parliamentary record for 1650 is not as full as that for 1649. The majority of the detail has to be reconstructed from sources such as Balfour, who recorded much of the parliament's deliberations and documents.

you; and that ye may fight in faith, and prevail with God first'.¹⁴² Both Ker and Rutherford would oppose any future relaxation of the exclusion of royalists from the army. At this stage, however, their views were not necessarily that divergent from those of the radical covenanting mainstream. A committee to purge the army was set up on 21 June 1650, two days before parliament passed the act to begin levying troops, on which the leading radical nobles, including Cassillis and Eglinton, were heavily represented.¹⁴³ According to Balfour, the committee met for three days at the beginning of August, and purged eighty officers from the army, while 'The ministers in all places preached incessantly for this purging'.¹⁴⁴ The covenanting army at Dunbar was a purged army, but one which represented the radical covenanters who had come to power following the Engagement, with regiments from the south-west led by Cassillis, Eglinton, Loudoun and Lord Kirkcudbright.

The defeat at Dunbar on 3 September 1650 had profound repercussions. Some sought a solution in the relaxation of the qualifications to serve in the army and public life; others saw a more purged and more holy army as the answer. Two days after the defeat at Dunbar, Rutherford wrote to Colonel Ker, urging him to 'go on without fainting, equally eschewing all mixtures with Sectaries and Malignants' as 'I am abundently satisfied, that our army, through the sinful miscarriage of men, hath fallen; and dare say it is a better and a more comfortable dispensation, than if the Lord had given us the victory and the necks of the reproachers of the way of God'.¹⁴⁵ The committee of estates and the commission of the kirk met at Stirling after Dunbar. In the committee of estates 'Many were of the opinion, that now those noblemen and others that were not permitted to rise in arms or to be in judicatories because of their accession to the Engagement, should in this present exigent be permitted to join with the rest'.¹⁴⁶ Opinion was divided in the commission of the kirk. The church issued detailed reasons for a national humiliation, including the lack of personal religious devotion in the nation and godliness in the army. Some favoured a relaxation of purging; the synod of Fife, for example, was willing to countenance Engagers in the army. The compromise in the commission of the kirk was that individuals could be

¹⁴² Rutherford, *Letters*, 650.

¹⁴³ *APS*, vi, pt ii, 586-7, 588-90.

¹⁴⁴ Balfour, *Works*, iv, 89.

¹⁴⁵ Rutherford, *Letters*, 651-2.

¹⁴⁶ *Life of Blair*, 239.

restored to public life 'upon petition and public satisfaction'.¹⁴⁷ Thus Lord Montgomery was publicly rehabilitated following his petition. Although Montgomery would have been excluded by strict purging, as the eldest son of the earl of Eglinton who had avoided becoming a notorious royalist, he was hardly a controversial figure to be allowed to re-enter public life.

William Row, who had so perceptively expressed the confusion in the opening months of 1648, now observed, with even greater understatement, that 'at this time there were many woeful divisions and subdivisions in the kingdom'.¹⁴⁸ Unlike in 1648, this time the divisions would cut across the radicals of the south-west:¹⁴⁹

This division was augmented; for sundry shires in the west desired liberty of the Committee of Estates for an association among themselves, promising to rise in arms for the suppressing of the enemy, which was granted unto them ... The associate shires meanwhile are busy levying their men. Besides Ker and Strachan, some other officers that assisted them, and disliked David Leslie, though they were inhibit by the Committee of Estates, did with their troops repair to the west; so did many soldiers in the army repair to them. Many wise and moderate estatesmen and ministers looked upon the division of the army as as sad a blow as that at Dunbar. Others both in Kirk and Estate liked and fostered the division.

The Western Association of 1650, based in the western shires of Lanarkshire, Renfrewshire, Ayrshire, Wigtownshire and the Stewartry of Kirkcudbright was an attempt to recreate the heady days of 1648 when the west had delivered the radical regime to power and preserved the purity of the covenanting cause. It did, however, have three distinct differences. Firstly, the Western Association was outside of the political control of the mainstream radicals and the parliamentary regime and was not led by the nobility. Secondly, the Western Association had a more developed organisational structure, supported by the Army of the Western Association which had at its core four regiments which survived Dunbar, augmented by others who agreed with its stance and by troops levied from the western shires. The ministers who were associated with the Western Association constituted the presbytery of the Western Army.¹⁵⁰ Perhaps most strikingly, it had a distinctive political ideology as

¹⁴⁷ *Commission of the Kirk*, iii, 48-52; Balfour, *Works*, iv, 98-107.

¹⁴⁸ *Life of Blair*, 240.

¹⁴⁹ *Life of Blair*, 241.

¹⁵⁰ Baillie, *Letters and Journals*, iii, 122.

expressed in the Western Remonstrance drawn up on 17 October. This committed its signatories to expelling the English forces from Scotland but declared that they were not obliged to fight for Charles II unless he gave religious satisfaction and shunned the company of malignants.

Who were the supporters of the Western Association? While the Western Association was based in the west and south-west, its supporters were not all from the western shires. The Western Association was evidence not only of the radical nature of the covenanting movement in the south-west, but also of the extent to which it was a symbol and a stronghold of covenanting radicalism. Its military leaders, Colonels Ker, Hackett and Strachan, came from the covenanting army, from regiments raised outside the south-west. Lord Kirkcudbright, who dissented from the abolition of the Act of Classes by parliament in 1651, was one of the few nobles whose sympathies lay with the Association. The remnant of his regiment which survived Dunbar joined the Association. Sir Robert Adair of Kinhilt, MP for Wigtownshire in 1650 and a colonel in the army at Dunbar, left his regiment to join the Army of the Western Association. James Guthrie, minister of Stirling, and cousin of William Guthrie, the minister of Fenwick in Ayrshire who had been at Mauchline Moor, was a prominent preacher against the relaxation of purging. Other ministers with south-west connections, including Rutherford and Durham, were supporters of the Remonstrance. An insight into those who were connected with the Army of the Western Association is provided by 'the Roole of the Remonstrators, that brunt the gaits of drumlangrig and waisted the Lands' in October 1650.¹⁵¹ The list was headed by Johnston of Warriston, Chiesley and Gilbert Ker, and included several prominent Ayrshire lairds, Campbell of Cessnock, Cunninghamhead, the laird of Blair. The list of ministers from the south-west reads very like that of those present at Mauchline Moor as it includes William Adair, Gabriel Maxwell, William Guthrie, John Nevay Thomas Wylie and Matthew Mowat.

The relationship of the Western Association with Cromwell is difficult to assess. Contemporaries accused them of collaborating with Cromwell. Colonel Strachan had been with Cromwell's forces in England before his return to Scotland after the execution of Charles I and defected to the English army in December 1650. The Western Remonstrance committed its signatories to the removal of English forces from Scotland; however, it also ended their commitment to fight for Charles II, so an

¹⁵¹ Paterson, *History of the County of Ayr*, i, 127.

agreement between the western forces and Cromwell might have been possible, although this could not have extended to the remaining covenanters. Cromwell certainly recognised the significance of the Army of the Western Association, sending a duplicate of his letter to the committee of estates of 9 October to the Western Army. Baillie attributed the restraint of Cromwell's troops at Glasgow to his desire 'to gaine the people, and to please Strachan, with whom he was then keeping correspondence, and by whom he had great hopes to draw over the Western army, at least to a cessation with him'.¹⁵²

The relationship of the Western Association with the covenanting administration - the committee of estates and the commission of the kirk - proved equally problematic. On 14 October 1650 the committee of estates ordered that Cassillis and Argyll, with two lairds and two burgesses, 'goe to the westerne army to solicit unity for the good of the kingdome'.¹⁵³ In late October the Western Remonstrance was presented to the committee of estates and the commission of the kirk for their consideration by two lairds, Campbell of Cessnock from Ayrshire and Sir George Maxwell of Nether Pollock in Renfrewshire. Neither body showed any great urgency in dealing with it. The committee of estates held the business over until the next month, as did the commission of the kirk. The meeting of the commission of the kirk which recommended that discussion of the Remonstrance be postponed until 14 November was thinly attended and included none of the leading radical ministers associated with the south-west. When the commission reconvened on 14 November it included a number of radical ministers from, or with connections to, the south-west: James Guthrie, Samuel Rutherford, James Durham, Gabriel Maxwell and John Livingstone.¹⁵⁴ The two bodies were acting in tandem and the commission of the kirk agreed to the estates' request that they move their next meeting to Perth so that the two bodies could co-operate. The committee of estates resolved to have a conference with some ministers regarding the Western Remonstrance on 19 November, on which date a number of non-clerical members of the commission were present at the commission's deliberations, including Argyll, Cassillis and Robert Barclay of Irvine. A progress report on the discussions was provided to the estates by Loudoun on 22 November.¹⁵⁵

¹⁵² Baillie, *Letters and Journals*, iii, 120.

¹⁵³ Balfour, *Works*, iv, 123.

¹⁵⁴ *Commission of the Kirk*, iii, 108.

¹⁵⁵ Balfour, *Works*, iv, 166; *Commission of the Kirk*, iii, 115-5.

The Western Remonstrance was rejected by committee of estates and commission of the kirk. The committee of estates found it 'scandalous and injurious to his Majesties persone, and prejudiciall to hes authoritie' which 'holds forth the seeds of a division of ane dangerous consequence'.¹⁵⁶ The commission of the kirk, which received a petition from gentlemen who supported the Remonstrance, also rejected the Remonstrance, but with less vehemence, finding themselves 'dissatisfied therewith; and that we thinke it is apt to breid divisions in this Kirk and Kingdome'. All those who had been involved in drawing up the Remonstrance were removed when it was voted on and a number of ministers, including Rutherford, dissented from the commission's conclusions.¹⁵⁷

On 2 December 1650 the army of the west was ordered to unite with the rest of the covenanting army. The western forces and the regiments of Kirkcudbrightshire, Galloway and Dumfriesshire were to join together under the command of Robert Montgomery, who was sent by the committee of estates to take control of the Army of the Western Associaton. Montgomery was an astute choice: a seasoned military commander, the son of the earl of Eglinton, who could command local support, especially in Ayrshire, with an unblemished covenanting record, who had relinquished command of his regiment in 1648 rather than participate in the Engagement. The Western Army, however, moved to engage Lambert's forces outside Hamilton where, at the beginning of December, it was routed. The defeat at Dunbar had been interpreted by some as a sign of divine displeasure. On 14 December the commission of the kirk wrote to the remnant of the western army and expressed similar sentiments about the defeat at Hamilton: 'We looke upon that sadd stroke it hes pleased the Lord to give upon those fources gathered together in your bounds as no small testimonie of the Lords displeasure against the Land - being that on which the eys of many of the land were as an hopefull meane of ane deliyverie - and as a reall evidence that the Lord's anger is not yet turned away'.¹⁵⁸

The Western Association represented a last stand for the undiluted purity of the covenanting cause. While it was perhaps unlikely that after Dunbar the Scots would have been able to defeat Cromwell's army, the effective loss of one of the most

¹⁵⁶ *Commission of the Kirk*, iii, 124-5.

¹⁵⁷ *Commission of the Kirk*, iii, 127-32.

¹⁵⁸ *Commission of the Kirk*, iii, 165.

committed and skilled sections of the covenanting army - which, if it had been brought back into the mainstream covenanting army under Robert Montgomery, would have created a formidable fighting force - undeniably undermined the military strength of the covenanters. Even for those who did not concur with the Association's ideals, 'many honest and godly people in the land began to conceive some hopes that it might please the Lord to bless the western army against the enemy'.¹⁵⁹ Paradoxically, the rise and demise of the Western Association escalated the process it was trying to prevent. According to Baillie, himself a moderate in favour of the relaxation of political purging, 'The miscarriage of affaires in the West by a few unhappie men, put us all under the foot of the enemy ... The loss of the West, the magazine of our best forces, put the state presently to new thoughts'.¹⁶⁰ These thoughts were of course the relaxing of the Acts of Classes. Similar logic was expressed by William Row:¹⁶¹

The Westland forces (who only held in honest men's hopes of something to be acted against the enemy) being routed and scattered, and the army at Stirling being extremely weak, and now lying in their winter quarters dispersed, all hopes were perished of doing any thing against the enemy, unless there were at last a conjunction of the kingdom, and a more general outcalling of the body of the people; those being permitted to fight that formerly were debarred by the Act of Classes.

The relaxation of the Acts of Classes was considered by a meeting of the commission of the kirk on 14 December: Rutherford and James Guthrie opposed relaxing the Acts; Robert Blair and James Durham were ambiguous; David Dickson was in favour of allowing former Engagers back into the army. Baillie was pleasantly surprised that the Resolution in favour of a relaxation was passed with so little division, feeling that it would not have done so if 'with the losse of the West, the absence of all the brethren had not concurred'.¹⁶² The Western Association highlighted the radical pedigree of the south-west and the extent to which the area was viewed as a bastion of the covenanting cause in its purest form. The creation of the Western Association and subsequent defeat of the Army of the Western

¹⁵⁹ *Life of Blair*, 246.

¹⁶⁰ Baillie, *Letters and Journals*, iii, 126.

¹⁶¹ *Life of Blair*, 249-50.

¹⁶² Baillie, *Letters and Journals*, iii, 126.

Association would prove a major factor in the dilution of these ideals among the covenanting radicals.

CONCLUSION

The Origins of Allegiance

The Radical South-West?

The south-west made a significant contribution to the covenanting movement, which drew its main support from Fife, Lothian and the west and south-west. An examination of the composition of the covenanting movement highlights the significance and commitment of covenanters from the south-west, especially amongst its most consistent adherents, within what has been termed the 'radical mainstream'.¹ Within the fields of parliamentary representation, membership of parliamentary committees, membership of the commission of the kirk and support for the army, the support of covenanting nobles, gentry and burgesses from the south-west was crucial for the long-term success of the movement.

South-west Scotland provided an important base from which opposition to royal policy in church and state developed in the 1620s and 30s and played a significant role in the prayer book crisis of 1637-8 and in the development of the covenanting administration. In particular, it proved crucial to the establishment and, albeit brief, survival of the radical regime of 1648. The south-west played a significant role in the levying of large numbers of troops for the covenanting armies, except in the case of the army of the Engagement. Indeed, the widespread opposition to the Engagement was indicative of the level of support for radical covenanting ideology in the locality.

Several of the leading covenanting ministers - Dickson, Rutherford, Baillie, Blair and Livingstone - came from parishes in the south-west. Equally importantly, the ministry of the locality remained active supporters of the covenanting cause, often constituting the more radical element of the covenanting ministry, as in the case of the ministers present at the battle of Mauchline Moor. Nobles such as Cassillis and Eglinton were consistent supporters of the Covenants and were among the minority of the nobility who adhered to an extreme position. As attention has been drawn to the extent to

¹ A.I. Macinnes, 'The Scottish Constitution, 1638-51: the Rise and Fall of Oligarchic Centralism' in J. Morrill (ed.), *The Scottish National Covenant in its British Context* (Edinburgh, 1990), 107.

which the radical wing of the covenanting movement increasingly drew on non-noble support, especially within the executive, the role of burgesses from the south-west such as William Glendinning of Kirkcudbright and John Kennedy of Ayr was of even greater importance to the movement overall.

Within the locality itself, the south-west had committed and hard-working networks of covenanting supporters, who could assist in ensuring the support of the south-west for the covenanting movement and the implementation of the policies of the covenanting executive at a local level. Given the comparative scale of activity and the social diversity of those involved - members of the higher nobility; lesser nobles and lairds; office holders in burghs, as well as tenant farmers and ministers - this would seem to demand an explanation more sophisticated and more convincing than mere fanaticism. While the south-west provided some of the more radical members of the covenanting movement in the 1630s and 40s, in contrast to the Restoration years, it did so as part of mainstream political movement, with elite leadership and widespread popular support.

The Radical Tradition

The south-west in the reigns of James VI and Charles I is positioned within a wider spectrum of religious and political radicalism in the south-west. The hypothesis that there was a long tradition of religious and political radicalism in the south-west does have a certain validity, although it cannot be pushed as far as Gordon Donaldson suggested in his seminal article on the conservative north.² The south-west did not exhibit a blanket adherence to a radical Protestant ideology from the first days of the Reformation and, even in the 1640s, the south-west produced several prominent royalists. It would, however, be unfortunate if these necessary qualifications were

² With respect to the south-west Donaldson's basic premise was largely correct, although some of the examples which he used to illustrate this were ill-chosen. His article was very wide-ranging, e.g., he used evidence drawn from the rebellion against James III in 1488, and it is this breadth and the often sweeping conclusions which were drawn from it which have, quite justifiably, been called into question. Donaldson did himself point out that some of these generalisations, such as the references to 'the Catholic earls' in the 1580s and 90s, are misleading (193); he was unfortunately much more dogmatic when it came to Protestantism. G. Donaldson, 'Scotland's Conservative North in the Sixteenth and Seventeenth Centuries', *TRHS*, 5th series, xvi, reprinted in his *Scottish Church History* (Edinburgh, 1985).

allowed to mask the very distinctive overall pattern of behaviour presented by the south-west in the sixteenth and seventeenth centuries.

The south-west first acquired its reputation as the home of radical Protestantism by virtue of one of Scotland's earliest cases of heresy, the Lollards of Kyle in 1494, and its inclusion as a venue on the preaching itineraries of George Wishart and John Knox in the 1540s and 50s. Several Ayrshire lairds were prominent among the reformers and nobles such as the earl of Glencairn and Lord Ochiltree were early supporters of the Reformation.³ The south-west was most notorious as the home of radical presbyterianism after the Restoration, when it became the focus of opposition to Charles II and James VII. The ideology of the movement lasted into the eighteenth century when a protest against enclosures for cattle husbandry in Galloway in 1724 was led by a field preacher, the protesters invoking the Solemn League and Covenant.⁴ One of the most striking features of the radical tradition in south-west Scotland was, therefore, its sheer longevity, stretching over more than two centuries, from the first stirrings of Protestantism in the region to the protests against enclosures in the eighteenth century.

It is perhaps this very longevity which has contributed to the persistence of the radical south-west as a historical phenomenon. The Gentlemen of Angus and the Mearns were just as active as the Gentlemen of the Westland during the Reformation crisis, yet seventeenth-century Angus is more commonly characterised as part of the 'conservative north' - resistant to presbyterianism, loyal to Charles I and inimical to the Covenants.⁵ It has, however, also meant that, while the earlier covenanters of the radical south-west were arguably of more political significance, they have been overshadowed in the popular imagination by their Restoration brethren. The legends of a covenanting past provided material for novels by Sir Walter Scott and James Hogg and are still current in the south-west today; the seventeenth-century parish church at Fenwick in Ayrshire keeps its many covenanter graves (each labelled 'Fenwick Covenanter') carefully maintained and displays relics of the 'killing times'

³ For a discussion of Ayrshire in the decades before the Reformation see M.H.B. Sanderson, *Ayrshire and the Reformation: people and change, 1490-1600* (East Linton, 1997), 36-83.

⁴ Chalmers, *Caledonia* (Paisley, 1890), v, 286.

⁵ As, for example, in Donaldson, 'Scotland's Conservative North', 191-203.

inside the church, while Dumfries and Galloway Tourist Board retail 'Car Trails' of covenanting monuments in the area.⁶

The existence of a tradition of radicalism does not in itself provide a sufficient explanation of the phenomenon. There was nothing innately rebellious or difficult about the culture, society and people of south-west Scotland. Not only is a tradition of Protestantism dating back to the Reformation an insufficient explanation for James VI and Charles I's radical south-west, it does not coincide with the evidence.⁷ The early adhesion of parts of Ayrshire to the Reformation must be tempered by evidence for the continued practice of Catholicism, particularly the open celebrations of the mass in Carrick at Easter 1563. Far from being an early adherent of the Reformation, the 4th earl of Cassillis only espoused Protestantism after his marriage to the daughter of Lord Glamis in 1566. The 4th earl of Glencairn was considerably more consistent a reformer than the 8th earl was a covenanter, while his Ayrshire neighbour, the 3rd earl of Eglinton, was a Catholic who supported Mary, Queen of Scots during the Marian Civil War.

Yet the links between the pre- and post-Restoration covenanting movements in the south-west are demonstrable. Two out of three ministers in the south-west were deprived of their charges after the restoration of the monarchy and episcopacy, with the result that the area became the focus for increasingly large and armed conventicles which few landlords pronounced themselves either willing or able to suppress. As has been discussed above, many of the lairds and tenant farmers of Ayrshire and Kirkcudbrightshire continued to take a radical stance after 1660, with

⁶ Walter Scott, *Old Mortality* (first published 1816) and James Hogg, *The Brownie of Bodsbeck* (first published in 1818, although Hogg claimed it was written before *Old Mortality* was published). There is an abundant tradition of covenanting fiction of a variable quality, e.g., part of the official 800th anniversary celebrations of the burgh of Dumfries in 1986 saw the republishing of two historical novels by R.W. Mackenna (*Through Flood and Fire* and *Flower of the Heather*) based on Dumfriesshire covenanters. There are numerous guides to the various covenanting sites, e.g., the 'Nithsdale Covenanting Trail' published by the Scottish Covenanter Memorials association and the Nithsdale Tourist Sub-Committee.

⁷ John Knox, *History of the Reformation in Scotland*, ed. W.C. Dickinson, 2 vols. (Edinburgh, 1949), ii, 189. While the careers of the greater nobility underline the point that the political behaviour of the south-west in the seventeenth century cannot be attributed to its stance at the Reformation, it is also true that many families could trace a strong Protestant tradition dating from the sixteenth century, such as the Gordons of Earlstoun.

either themselves or their descendants participating in the Pentland Rising of 1666 or the Battle of Bothwell Brig in 1679 and being pursued and fined for attending conventicles.⁸ It is often assumed that the nobility played little part in the covenanting activity of the Restoration period and that conventicling and opposition to the religious policies of Charles II and James VII was the province of a lower level in society than held sway in the earlier phase of the movement, in what has been described 'a rare example of a class near the bottom of society holding grimly to a creed constructed by intellectuals of higher ranks, when most of the propertied were turning away from it'.⁹ It is true that the nobility were not actively involved in the covenanting opposition after 1660, but not all nobles willingly acquiesced with the Restoration regime. Lords Cathcart and Kirkcudbright were sympathetic to the continuing presbyterian dissent, as were the 6th and 7th earls of Cassillis.

There were, however, significant differences between the radicals of the 1630s and 40s and the post-Restoration covenanters, not least that the geographical dispersal of opposition to Charles I and the opposition to his sons was divergent. While there were radicals in Wigtownshire in the 1640s, such as Robert Adair of Kinhilt, covenanting activity was far more common in Dumfries and Galloway in the 1660s than it had been in the 1630s and 40s. Covenanting and conventicling were widespread across the region after 1660, but tended to be concentrated in more rural, inaccessible areas. Most obviously this was a response to the level of persecution experienced by presbyterians after the Restoration, but recognising these spatial differences highlights an important feature of the geographical composition of the radical south-west.

The later covenanters successfully exploited the particular geography of the south-west. Isolated upland areas and marshland interspersed with stretches of barren moor provided an ideal environment for the development of outdoor field conventicles with less risk of detection. The protection afforded by the physical landscape of the south-west was not a feature of the earlier phase of covenanting activity, during which remoteness and inaccessibility actively hindered participation in events. While Restoration covenanters were active in remote settlements such as Moniaive in

⁸ See chapter six above.

⁹ V.G. Kiernan, 'A Banner With A Strange Device: The Later Covenanters' in T. Brotherstone (ed.), *Covenant, Charter and Party: Traditions of Revolt and Protest in Modern Scottish History* (Aberdeen, 1989), 45.

Galloway, the private meetings conducted by John Livingstone in the 1620s, for example, took place in the immediate vicinity of Kirkcudbright. The involvement of the south-west in the covenanting movement cannot, therefore, be ascribed to its topography. Indeed, bearing in mind the type of channels through which religious and political contacts developed in this period, the geographical remoteness of parts of the south-west serve rather to explain their relative lack of involvement in support for the Covenants. The geographical distribution of the later covenanting movement, throughout the locality and in isolated districts, is in direct contrast with the distribution of the opposition to Charles I. The radical south-west of the earlier covenanters was, in essence, composed of two local networks, each of about twenty miles radius, one centred round Ayr and Irvine and the other centred round Kirkcudbright. These represented the spheres of influence of the covenanting nobility, the main population densities and an important network of local religious contacts.

Mapping Allegiances

While the importance of factionalism in mid seventeenth-century Scottish politics is crucial to an understanding of events, the consideration of factionalism should not be allowed to impose an ideological strait-jacket. With the possible exception of the regime of 1648-50 which arose as a result of the failure of the Engagement, the royalist cause and the covenanting movement were not necessarily mutually exclusive camps as both covenanters and royalists sought the maximum possible legitimacy and support. Prior support of the Covenants was no bar to becoming a supporter of the king and, at least in the early stages of the conflict, the covenanting movement was able to incorporate wide sections of the political community, although the composition of the covenanting hierarchy was more selective. The lists of those nominated to the shire committees of war in the south-west in the early 1640s were dictated more by the natural leadership of local society than by covenanting orthodoxy. While the earls of Dumfries and Galloway were not accepted by the covenanting leadership as Charles's nominees to the privy council in 1641, they were able to take their places in parliament after subscription of the National Covenant and parliamentary oaths.¹⁰ The earl of Dumfries, a known favourer of the king, was on the commission of the kirk until as late as 1644.

¹⁰ Balfour, *Works*, iii, 44, 46, 145-6.

The covenanting movement in the south-west had a broad base in the early days of the opposition to Charles I. This can be seen in the commanders of the regiments raised from the south-west during the First and Second Bishops' Wars. Nascent royalists such as Lords Montgomery, Johnstone and Fleming commanded regiments in the army, alongside those who would prove to be radical covenanters such as Cassillis and Eglinton, whereas Nithsdale was distinctive as a royalist who opposed the covenanters at this juncture. A group of nobles, consistent in their adherence to the Covenants, participated in the movement from the outset: Alexander Montgomery, 6th earl of Eglinton; the 2nd and 3rd Lords Kirkcudbright respectively; Alan, 6th Lord Cathcart and John Kennedy, 6th earl of Cassillis. Associated with this group were those who supported the Covenants continuously until the Engagement, of whom Loudoun was a rather untypical example. A third group was composed of those who have been described as 'pragmatic royalists', who participated in the covenanting administration prior to 1648 but were not wholly committed.¹¹ This group was represented in the south-west by William Cunningham, 8th earl of Glencairn, who, for example, opposed the sending of an army into England in 1643.

Several individuals associated with the covenanters in the early days of the movement defected to the king at varying points in the first half of the 1640s. Lord Johnstone of Lochwood, later earl of Hartfell, initially joined with the covenanters, a signatory to the National Covenant who ensured subscription of the Covenant among his tenants and a member of the 1638 general assembly. Johnstone signed the Cumbernauld Bond and, while he later repudiated it, drifted towards the royalist camp. He was fined for his alleged complicity with Montrose's capture of Dumfries in 1644 and supported Montrose in his 1645 campaign. Johnstone was joined in this group of former covenanters who went on to support the king by John Fleming, 2nd earl of Wigton and his son, John, Lord Fleming and Lord Montgomery, Eglinton's son.

The remainder of the nobility in the south-west were consistent royalists. Robert, 8th Lord Boyd of Kilmarnock supported the covenanters but was succeeded by his uncle James, 9th Lord Boyd, who was a steady royalist, a signatory of the Cumbernauld Bond and a supporter of the Engagement. The 9th Lord Boyd was one of a group of consistent royalists which included the 1st and 2nd earls of Annandale, the 1st and 2nd earls of Dumfries and Alexander Stewart, 1st earl of Galloway, who were

¹¹ J.R. Young, *The Scottish Parliament, 1639-61* (Edinburgh, 1996), ix.

prepared to subscribe the Covenants to participate in public affairs but made no real contribution to the covenanting movement and assisted the royalist cause where possible. Finally, there were more uncompromising royalists such as the Catholic Robert Maxwell, 1st earl of Nithsdale, who garrisoned his castles of Caerlaverock and Threave for the king in 1640, and his son, the 2nd earl of Nithsdale.

Outside the ranks of the nobility, the patterns of allegiance were more static. The burghs of the south-west, in particular Ayr, Irvine and Kirkcudbright, provided important sources of support for the covenanting movement. The burgh of Dumfries was more guarded and flirted with Montrose in the middle of the decade, but was back in the covenanting fold by the late 1640s. Although there was a small body of royalist lairds in the south-west, the lairds generally constituted a strong body of covenanting supporters in the locality.¹²

The patterns of allegiance in the 1640s also indicate the extent to which many individuals, both covenanters and royalists, were reacting to events. It was the pressure of events which pushed nobles such as Cassillis even further into the radical mould and the nature of the continuing opposition to Charles which led Lord Montgomery to defect to the king. Perhaps the best example of this was Montrose's military campaigns, which were crucial as they gave the royalists a focus and gave the covenanting executive the opportunity to begin to purge malignancy. Being an active royalist in an area effectively under the control of the covenanters, such as the south-west, was not easy and offered little scope for activity without great personal risk. Here a catalyst from outside was necessary, such as Montrose's capture of Dumfries in 1644, although his expectation that the local royalists would rise en masse to support him was disappointed. Montrose's activities were more notable for the opportunities they gave for royalists to show their loyalty to the king than for persuading convinced covenanters to change sides.

In 1645, prior to the battle of Philiphaugh, Alasdair MacColla made an armed visit to Ayrshire in an attempt to ensure that the locality did not hinder the royalist campaign. MacColla's Ayrshire sojourn underlined the extent to which the military and political demands of the covenanting movement removed many prominent landowners from their estates for significant periods of time. The earls of Eglinton and Glencairn and

¹² For a more detailed discussion of individual allegiances see chapters five and six above.

Mure of Rowallan were absent from the locality and their neighbours and tenants took a pragmatic view of the presence of MacColla and his troops, negotiating payment in return for the security of their lands and property. A letter from Montrose, urging the men of Ayrshire to support him, was circulated and a royalist rendezvous appointed to meet at Loudoun Hill, in response to which local forces were raised to oppose them. There did not, however, seem to be a significant level of support for Montrose and the royalist offensive was almost immediately brought to a conclusion by the defeat at Philiphaugh on 13 September. The presbytery of Ayr did take action against a number of those who had sided with Montrose, including Thomas Kennedy of Ardmillan who, in addition to other charges, admitted to having 'supped with Alaster MacDonald in Kilmarnock accidentally'.¹³

Assessments of allegiance must be based on a wide variety of evidence and recognise the simple fact that people either changed their minds or reassessed their allegiances. Thomas Sydserff, while he was one of the ministers of Edinburgh, subscribed a petition in 1617 that asserted the rights of freely elected assemblies to make ecclesiastical decisions. His later career, especially after his appointment to the see of Galloway in 1635, showed him to be a strong supporter of the changes in the church and an active, interventionist, Arminian bishop.¹⁴ Several signatories of the Cumbernauld Bond repudiated it and continued to associate themselves with the covenanting regime. John Campbell, 1st earl of Loudoun was one of the three noblemen who negotiated the Engagement with Charles I and was nominated as president of the Engager parliament. Loudoun, however, later rejected the Engagement and formed part of the post-Engagement regime and must, therefore, be seen as a covenanter, indeed as one of the more radical covenanters.

The expression of these allegiances in the south-west was driven by a combination of principle, pragmatism, compromise and opportunism, influenced by conviction and the need to respond to events as they unfolded. While charting the complexities of allegiance may at times seem like sophistry, there is contemporary justification for it. This, after all, was the thinking which underlay the Act of Classes in 1649 and the similar act of 1646 which had identified different levels of collaboration with

¹³ J. Paterson, *A History of the County of Ayr: with a genealogical account of the families of Ayrshire*, 2 vols. (Ayr, 1847-52), i, 116-18; D. Stevenson, *Alasdair MacColla and the Highland Problem in the Seventeenth Century* (Edinburgh, 1980), 205-6.

¹⁴ Calderwood, *History*, vii, 250-6.

Montrose, justifying either fining or incarceration. The reasons behind these varied political decisions were, however, as numerous as the choices available and must be sought within the spheres of both local and national politics.

The Economics of South-West Scotland

The 'particular economic grievances felt in the south-west' have been identified as an issue distinctive to the region, with the result that opposition to the Engagement was strongest 'in the west where radical ideas and economic discontent were prevalent'.¹⁵ The majority of general histories have followed Walter Makey who, in his *Church of the Covenant*, discussed the economic and social contexts of the covenanting period and the particular economic experience of the west of Scotland and suggested that this offered an explanation for the Mauchline Rising and the Whiggamore Raid. Makey's main concern was the effect which inflation had on a region in which rents were predominantly paid in cash and therefore eroded by inflation, and the extent to which landlords were able to compensate for this by raising the rents on unfeued land, which in turn created tension between neighbouring tenants, some of whose rents had been augmented and whose neighbours' rents remained unchanged. Makey also drew attention to what he described as 'the silent revolution', a long-term change in the economic and tenurial structure of the local community.¹⁶ The importance of Makey's 'silent revolution', and the extent to which historians have failed to seriously address it, was highlighted by Keith Brown in 'Aristocratic Finances and the Origins of the Scottish Revolution'.¹⁷ The argument has been developed to consider issues such as the phasing out of kindly tenancies and agricultural improvement, which Allan Macinnes has described as the 'commercial re-orientation of estates', in which the tenantry were generally responsive to these changes and leases tended to remain long. Macinnes argued that victual rents were sufficiently valuable to partially compensate for the effects of inflation and that the decline in money rents was compensated for by high grassums (entry fees) rather than by augmented rents, but

¹⁵ M. Lynch, *Scotland: a New History* (London, 1991), 277; K.M. Brown, *Kingdom or Province? Scotland and the Regal Union, 1603-1715* (Basingstoke, 1992), 132.

¹⁶ Makey, *The Church of the Covenant, 1637-1651: Revolution and Social Change in Scotland* (Edinburgh, 1979), 1-15, 165-85.

¹⁷ Keith Brown, 'Aristocratic Finances and the Origins of the Scottish Revolution', *English Historical Review*, civ (1989), 80-1.

that these did not necessarily indicate financial profiteering.¹⁸ As Makey himself pointed out, other regions of Scotland had significant cash rentals, particularly the east borders, and it remains to be seen whether landlords in the east were operating similar economic policies, particularly on the estates of covenanting magnates such as Buccleuch and Lothian.

As the agricultural economy of the south-west could best be described as mixed with the emphasis on pastoral farming and what industry there was in the region was geared towards small-scale production for local consumption, there was no distinctive local culture or social structure determined by economic development.¹⁹ The region did not necessarily have a common economic experience. As one commentator on the south-west has observed, this diversity is an inherent problem in agrarian history, with the result that 'there are significant differences even in quite small areas' and 'any generalisations can have a deceptively attractive way of suppressing the confusion'.²⁰ Nor was the economic experience of the south-west unique. Although the south-west was primarily a pastoral region, so also were other areas of Scotland such as the eastern borders and most of the highlands, which did not play such a distinctive role in the covenanting movement.

It is certainly true that many of the parishes in the south-west paid the majority of their rents in cash rather than kind; often around three-quarters of total rentals were paid in cash, as in the parish of Sorbie in Wigtownshire whose valued rent in 1649

¹⁸ A.I. Macinnes, 'The Origin and Organisation of the Covenanting Movement during the reign of Charles I; with a particular reference to the west of Scotland' (Glasgow University Ph.D. thesis, 2 vols., 1987).

¹⁹ There is a well established, although frequently challenged, literature which describes the different customs and social structures of arable and pastoral regions. Most relevant in this context is David Underdown's *Revel, Riot and Rebellion* which examines seventeenth century Dorset, Somerset and Wiltshire and suggests that allegiance to king, parliament or neither side was partially governed by the habits of arable or pastoral communities, a conclusion which closely parallels Makey's arguments, D. Underdown, *Revel, Riot and Rebellion, Popular Politics and Culture in England, 1603-1660* (Oxford, 1985), but see also John Morrill's review article, reprinted in his *The Nature of the English Revolution* (London, 1993).

²⁰ R. Campbell, *Owners and Occupiers: Changes in Rural Society in South West Scotland before 1914* (Aberdeen, 1991), xi.

was £4,139, of which over £3,000 was paid in cash.²¹ The extent to which landlords were able to compensate for cash rentals eroded by inflation is less clear,²² nor is it clear that increased rents would have encouraged tenants to become covenanters. Contemporaries were divided on the implications of rent increases. One English correspondent felt augmented rents made tenants less likely to follow nobles into battle as they were 'repining to pay dear rents and buy armour',²³ while another reported the suggestion that:²⁴

the common sort have so exhausted themselves with making provision for war, that they want money to buy bread, insomuch that, though the heads of the army would be content to be quiet, yet the body will not suffer them, out of hope to repair their necessity in a more abundant country.

The level at which rents were set was certainly an issue, at least in propaganda terms. In 1639 Charles I discharged the tenants of rebels from paying rents, further promising a long lease to any who left their masters to become tenants of the king, together with a rent reduction of at least a third.²⁵ Over a decade later, the English parliament professed to believe that the nobility were responsible for the recent war and invasions of England in support of Charles II, that their tenants were drawn in unwillingly and promised rents 'as may enable them ... to live with a more

²¹ NAS, Valuation Rolls, Valuation Roll of Wigtownshire, E106/1/1. Even in Wigtownshire, however, commercial agreements could still be expressed in kind. In 1612 a contract was agreed between Duncan Campbell of Auchensoule and the earl of Cassillis, whereby Campbell agreed to accept sixty-four bolls of victual yearly in lieu of rent of lands of wadset to them, NAS, Ailsa Muniments, GD25/3/14 no. 58f.

²² Both Makey and Macinnes predominantly drew their evidence from the particularly extensive Hamilton archives. The paucity of, for example, consecutive rentals for estates in the south-west makes conclusions at best impressionistic. One of the fullest sets of rentals, that for the Wigtownshire estates of the earls of Cassillis, has been examined by Ian Whyte in various publications, such as *Agriculture and Society in Seventeenth-Century Scotland* (Edinburgh, 1979), *passim*. The rental for 1614-15 is printed in *Record Text Publications*, vol i, Dumfriesshire and Galloway Natural History and Archaeological Society (Dumfries, 1980).

²³ CSPD (1638-39), 303.

²⁴ CSPD (1638-39), 152.

²⁵ CSPD (1639), 79.

comfortable substance than formerly, and like a free people.²⁶ It was, however, not just private landowners who sought to maximise the return from their estates. In 1597 further gifts of royal lands were prohibited, with the exception of lands held in feu-ferme, which were only to be granted with 'expresse augmentation' of the king's rental.²⁷

While inflation would have reduced the value of money rents to superiors, a significant proportion were still paid in kind and would have withstood inflationary pressure. Equally, the commutation of rents into cash was the hallmark of a progressive, reforming landlord. Although the money rents of the south-west would have been devalued as a result of inflation, they would also have ensured that the nobility had a considerable income in cash. While evidence for rent rises is hard to come by, it is clear that many landlords and proprietors were investing in the development of their estates.

Levels of noble indebtedness are hard to estimate with any degree of accuracy as many families contracted a complex network of wadsets and redemptions, which could represent either the long-term alienation of lands due to financial pressures, the raising of capital in the short term or a local land market and system of patronage.²⁸ The 5th and 6th earls of Cassillis entered into a large number of wadsets. Some of the contracts of wadset on the Kennedy estates would appear to have had more to do with tenure and possession than the raising of money.²⁹ Other lands would seem to have been put in wadset primarily to raise cash, e.g., the lands wadset to an Edinburgh lawyer in 1606 and a number of wadsets contracted with merchants in

²⁶ C. Hill, *God's Englishman: Oliver Cromwell and the English Revolution* (London, 1970), 122. Hill suggests that this was aimed particularly at the tenantry of the west of Scotland.

²⁷ A. Murray, 'Sir John Skene and the Exchequer, 1594-1612', *Stair Miscellany One* (Stair Society, 1971), 133.

²⁸ By the beginning of the seventeenth century land in the south-west was being transferred specifically as a result of sale, e.g., NAS, Bennan and Finnart Muniments, GD60/30, 33.

²⁹ NAS, Ailsa Muniments, GD25/3/14 no. 23, guaranteeing a pre-existing tack to one of the earl's servitors under reversion for 800 merks. This compares with Macinnes's observation that, in the west of Scotland, 'Ties of kinship and land association remained integral components of estate management' and the wadset was the principal mechanism of land transfer, Macinnes, Thesis, ii, 444.

Ayr.³⁰ Wadsets and redemptions were a feature of the 5th earl's financial planning.³¹ While the Kennedy earls did wadset a fair amount of property, they had extensive estates so the amount of wadset land never threatened the integrity of the family property. While overall the properties were encumbered by debt - the testament of the 5th earl of Cassillis empowered his brother to sell £40-50,000 worth of land to relieve debts on the estate - in the same period the family was expending significant sums of money on buying out kindly tenancies and on building work.³² Nor were increasing levels of debt restricted to the nobility. In the 1590s the burgh of Ayr had relatively little debt, from the 1590s the burgh began wadsetting its property and, in the course of the next thirty years, borrowed heavily on the security of the common good. By 1620 one tenth of the burgh's annual income was expended in interest payments.³³

The nobility, even when in debt, generally had the resources and prestige to deal with their creditors.³⁴ Many were, however, spending to support lifestyles beyond their means and would have been badly hit by the economic downturn of the 1630s.³⁵ The difficulty with charting the relationship between noble indebtedness and support for the covenanting movement lies in the fact that the majority of nobles were in debt, whether they supported the king or the Covenants. The staunchest covenanter and royalist in the south-west, Cassillis and Nithsdale respectively, were both substantially in debt by 1637. Both, however, were able to manage their debts and had the resources to deal with it. Debt was a part of noble life: the most important issue was whether individuals had the means to cope with it. The significance of this was illustrated by the contrasting fortunes of two covenanting families in the south-west, both of whom already had patterns of indebtedness prior to the outbreak of

³⁰ NAS, Ailsa Muniments, GD25/3/14 no. 25; GD25/6/1 no. 29b; GD25/3/14 no. 57a.

³¹ K.M. Brown, 'A House Divided: family and feud in Carrick under John Kennedy, fifth earl of Cassillis', *SHR*, lxxv (1996), 176.

³² NAS, Ailsa Muniments, GD25/8/1 no. 30c, GD25/3/14, no.38.

³³ *Ayr Burgh Accounts*, ed. G.S. Pryde (SHS, 1937), cxi-ii.

³⁴ J. Goodare, 'The Nobility and the Absolutist State in Scotland, 1584-1638', *History*, lxxviii (1993), 174. 'The extent to which a landed man, whether noble or a laird, was impelled to ride off to sign the covenant after an inspection of his account books remains unknown and, given the state of the records, is likely to remain so', M. Lee, 'Scotland, the union and the idea of a "General Crisis"', in R. Mason (ed.), *Scots and Britons: Scottish political thought and the union of 1603* (Cambridge, 1994), 51.

³⁵ Brown, 'Aristocratic Finances', 58-62.

conflict with Charles I, contributed heavily towards the financing of the war and were badly affected by it. The earl of Cassillis had sufficient assets to be able to dispose of part of his estates and remain liquid; the less powerful Lord Kirkcudbright was ruined financially.³⁶

It would, therefore, seem equally likely that financial problems would make nobles wary of entering into conflict with the king. As David Stevenson has pointed out, although it is impossible to estimate the cost of the covenanting wars with accuracy, 'the amounts of money raised yearly by the covenanters were far greater than had ever been raised before in Scotland'.³⁷ The pressures of financing the covenanting war effort led many regimental commanders to enter into further personal expenditure. Robert Montgomery, the son of the earl of Eglinton, had been ordered to fine malignants £6,000 to mount sixty men from his regiment but, as he had difficulty in doing so, paid for the regiment out of his own pocket.³⁸ The large sums of money which the covenanting nobility were able to raise and the level of financial commitment they were able to sustain is an impressive testimony to their economic dominance and liquidity.

It would not, however, have seemed obvious to the covenanting nobility from the outset that they would have to bear the brunt of the expense of the covenanting revolution, not least because it was hoped that the English parliament would offset some of the costs of the wars. One of the most striking features of the covenanting regime was its ingenuity and energy in raising taxes: 'The main taxes imposed by the covenanters ... all showed originality and a desire to spread the burden of taxation more widely than before'.³⁹ This resulted in a fundamental change in the basis on which taxation was collected, from the traditional method of assessment based upon old extent to a new system calculated on the basis of valued rent - an innovation which would have been particularly advantageous to the south-west. One economic grievance which was specific to the south-west was the perception of a disparity in the basis on which taxation was calculated. For reasons that are unclear, lands in the western shires were retoured at higher value on the basis of old extent than those in other parts of Scotland. Any taxation calculated on this basis of old extent would

³⁶ *Scots Peerage*, v, 266-9.

³⁷ D. Stevenson, 'The Financing of the Cause of the Covenants', *SHR*, li (1972), 122.

³⁸ *APS*, vi, pt ii, 280-1.

³⁹ Stevenson, 'Financing the Cause of the Covenants', 122.

prove comparatively more expensive to the western shires, leading to the complaint that 'In all bygone times our West countrey hath been much oppressed in taxations. Their lands are so high retoured, that a forty merk land with us will not pay so much rent as a two merk land elsewhere'.⁴⁰

As taxation became increasingly regular under James VI and Charles I, it became an increasing source of grievance. Due to the problems associated with old extent this was one royal policy which would have impacted with greater severity on the south-west. It was also a policy which affected a wide cross-section of society and became much more relevant from the late-sixteenth century as superiors were empowered to gather tax from their vassals and as it became clear that fears of crown and of church land would have to pay tax, calculated on the basis of old extent. It was ironic that a rebellion, one of whose causes had been discontent at the level of taxation, should have resulted in such a heavy taxation burden and culminated in the highest tax regime experienced by early-modern Scotland: the Cromwellian occupation.

The question of the basis on which taxation was assessed was raised again at the Restoration. The western shires of Lanarkshire, Renfrewshire, Dumbartonshire, Galloway and Nithsdale argued that a return to taxation by old extent would be prejudicial to them and gave the example of the earl of Queensberry who, it was alleged, would have to pay a sum equivalent to ten times his yearly rent and which almost equalled the total taxation of Midlothian. The return to customary taxation was, however, viewed as part of the overthrow of the legislation of covenanting period, including the revaluations which had favoured the west. It was also pointed out in 1662 that the areas which were claiming an excessive tax burden had not been noted for their loyalty to the crown in the preceding decades. A compromise was, however, reached, which allowed these areas to pay in merks thus reducing the tax burden by approximately one-third, in itself an indication that there was some basis to the complaint.⁴¹

⁴⁰ Baillie, *Letters and Journals*, ii, 78-9. For a discussion of the basis on which taxation had previously been calculated and the problems in ascertaining what was meant by old and new extent see J. Goodare, 'Parliamentary Taxation in Scotland, 1560-1603', *SHR*, LXVIII (1989), 24-6, 33-5. Goodare demonstrates that taxation calculated on the basis of old extent could vary widely even within a locality.

⁴¹ R.W. Lennox, *Lauderdale and Scotland: A Study in Restoration Politics and Administration* (Michigan, 1992), 54-6; *APS*, vii, 530-5. Queensberry was chosen not simply because he offered an extreme example of the effect of taxation by old extent, but because this was the estate of a noble not tainted by the covenanting decades. As

While it is frustrating that the economic questions in the south-west give so few conclusive answers, it underlines just how complex these matters were. Many of the suggested pressures cancel each other out, e.g., if substantial rent rises had been possible these would have helped to cushion noble incomes against inflation and debt. Charles I did not expect nobles to relinquish heritable jurisdictions for nothing; for cash starved nobles, if they were so, ready cash could have been attractive. Charles's plans fell down largely because the crown did not have the resources to implement them. To explain the radical south-west it is, however, necessary to explain the actions of widely different social groupings, from earls, to minor nobles, to lairds and to tenant farmers. Economic factors would have impacted differently on different social groupings and no single economic factor can explain the radical south-west.

There was, however, a complex cocktail of economic pressures which exerted themselves upon superiors and tenants alike. What is clear is that what counted was vested interest. The bewildering amount of litigation and conflict over possession of land, rents, feu duties and teinds indicate just how important these issues were as matters of property - the sense of moral rectitude about protecting personal interests was almost as important as the actual value of rights and property. While there is no clear economic cause which explains the south-west's support for the Covenants, the pressures of the wider economic changes taking place in seventeenth-century Scotland were clearly a factor and one which may have been more of an issue in the south-west due to the impact of inflation upon cash rentals and high levels of assessment for taxation.

The Origins of Allegiance

taking to consideratione the many distemperis and sadd condition of thair tymes occassioned by Civil Warres and distractiounes. And that in such caices the best counsalles and actiones of former ages have been misconstrued, most men being led by passione, faction and private intent.

Anticipating that future generations would seek to understand the motives of those who rebelled against Charles I, the 1649 parliament sought to commission a

his estates were extensive and included lands acquired by the family in the seventeenth century, it is unlikely that this was an untypical example.

historical work which would clarify their intentions.⁴² Although within the context of the radical regime of 1648-50 these aims were perceived as having been determined by religious and political ideology, the parliament's fears as to how the purity of their aims could be misinterpreted by cynical observers gave a more accurate picture of the multiplicity of factors which conditioned the allegiances of most participants in the events of the mid-seventeenth century.

For the nobility in particular, one of the key issues was loyalty to the crown. Patterns of allegiance in the south-west would appear to indicate a clear demarcation line between a provincial covenanting nobility - Loudoun, Cassillis and Eglinton - and a court-influenced nobility loyal to the king - Annandale, Dumfries, Galloway and Nithsdale. This is a crude distinction which implies that support for the National Covenant was the product of an alienated country party excluded from positions of power. There were royalist nobles in the south-west who had been favoured by the king but who were not part of this coterie of courtier nobles, for example, Wigton. Although men such as Cassillis and Eglinton had not previously played a major part in central government - partially why their behaviour in the 1640s was so significant - neither had they been deliberately excluded. The patent granted to Campbell of Lawers for his elevation to earl of Loudoun was suspended only following his opposition in the 1633 parliament, implying a pre-existing degree of favour. The power base of all these men still lay in their localities, a power base which neither James VI or Charles I had been able to significantly erode.

The south-west saw an marked inflation of honours in the first half of the seventeenth century. The new peers, however, came from substantial, established families such as the Maxwells and the Crichtons of Sanquhar; only one, John Murray, earl of Annandale, was elevated primarily as a result of his service to the Crown. What was crucial was the way in which James and Charles used their new nobility. When they needed to get things done in the locality, as in the appointment of justices of the peace, they relied on the traditional leadership of local society. When it came to the executive institutions of government, they preferred to use the nobility closer to the crown. This had the potential to create resentment but did not actually affect the balance of power within the locality itself.

⁴² *APS*, vi, pt ii, 196.

There is no vast gulf here between either an old and new or a court and country nobility, although proximity to the king certainly helped to condition allegiances. Cassillis, Eglinton and Loudoun would have spent much of their life under an absentee monarchy and came to their political maturity in the years when the problems of the dual monarchy were becoming apparent. As Keith Brown has pointed out, they, like other provincial noblemen, had little personal reason to fight for a king they barely knew.⁴³ Absentee monarchy and, more specifically, the impact this had on crown policy, did therefore have an impact on allegiances in the south-west. In particular, Charles' political failure to create an effective royalist party in the localities had serious consequences. While Nithsdale *et al* never became wholly divorced from their localities, their customary influence was qualitatively less than that of their more traditional Ayrshire counterparts. Nobles such as Dumfries and Nithsdale became associated with unpopular royal policies, such as the revocation and the introduction of the service book.

The new nobility of the south-west were concentrated in Dumfries and Galloway and, as Keith Brown has pointed out, there was no significant courtier family in Ayrshire, where 'an increasingly fluid dynamic in local politics was provided by a rising gentry'.⁴⁴ The new nobility of Dumfries and Galloway were also complemented by a substantial group of vocal and active lairds, who provided a local alternative to the royalism of the greater nobility. It has been argued that 'by June 1642 the natural home for a nobleman was in the king's party'.⁴⁵ This may have been true of many nobles for whom the covenanting revolution had seen a diminution of their influence, but not necessarily for nobles such as Cassillis and Eglinton, who had not been involved in the exercise of power at the national level prior to the covenanting era and who were enabled to exercise considerable influence as part of the covenanting administration.

This may have encouraged a greater independence of activity and choice of allegiance among the lesser nobility of Dumfries and Galloway. What is, however, clear is that lesser nobles and lairds loyal to the Covenant can be found throughout the south-west, regardless of the politics of the higher nobility. This raises the

⁴³ K.M. Brown, 'Courtiers and Cavaliers: Service and Anglicisation and Loyalty among the Royalist Nobility', in Morrill (ed.), *Scottish National Covenant*, 179.

⁴⁴ Brown, 'Courtiers and Cavaliers', 182.

⁴⁵ Goodare, 'Absolutist State', 181.

question of the extent to which the nobility were able to influence the actions of their followers, dependants and kin networks to enlist their support on behalf of the king or the covenanters. The situation in Dumfries and Galloway, where the royalist nobility were counterbalanced by lairds who supported the Covenants, would indicate that this was not necessarily the case. Both Cassillis and Eglinton have been used as examples of the changing requirements and expectations of the Scottish nobility in the seventeenth century.⁴⁶ It has been argued that noblemen raised 'regiments not retinues' and that Eglinton raised his supporters as the colonel of the shire rather than as a feudal landlord and expected payment from the state: 'a form of lordship still operated, but it was being forced into new moulds'.⁴⁷ With the exception of the Whiggamore Raid, all of the armies raised by the covenanters had their origins at national level.⁴⁸ While it is also possible to argue that nobles such as these would have viewed themselves as returning to their traditional role as the military leaders of local society - especially in the First and Second Bishops' Wars, traditional wars in which the army stayed in the field briefly - this perception shifted as the wars progressed, especially with the levies for the armies which went to Ulster and the Army of the Solemn League and Covenant, which stayed in the field in the long term. Thus the local status of Cassillis, Eglinton, etc., extended beyond their role as feudal superiors to being representatives of the cause of the Covenants in their locality.

The opposition to the Engagement in the south-west, the Mauchline Rising and the opposition of some covenanting regiments to the Engagement shows that there was a rank and file ideological commitment to the cause of the Covenants which found its expression in local leadership. Thus a covenanting tenant of the earl of Glencairn could look to local leadership aside from his chief. The importance of local leadership can also be seen in the day to day organisation of the covenanting movement, as in the shire committee of war for Kirkcudbrightshire. Deference was important, and tenants often followed their superiors, but the link was not absolute. The covenanting nobility levied armies from the areas which included their own lands but not exclusively from their estates. That the nobility were not necessarily

⁴⁶ Goodare, 'Absolutist State', 175; K.M. Brown, 'From Scottish Lords to British Officers: State Building, Elite Integration, and the Army in the Seventeenth Century' in N. Macdougall (ed), *Scotland and War* (Edinburgh, 1991), 140.

⁴⁷ Brown, 'From Scottish Lords to British Officers', 140.

⁴⁸ E. Furgol, *A Regimental History of the Covenanting Armies, 1639-1651* (Edinburgh, 1990), 3. Between 1639 and 1651 the covenanters raised over a dozen armies, ranging in size from 2,000 to 24,000 men (5).

able to ensure the loyalty of their tenants is illustrated above all by the marquess of Hamilton, the leading royalist noble in Scotland, whose area of influence was adjacent to the region of this present study. While it can be argued that Hamilton, who was very much an absentee landlord, is an untypical example, the same was true of the earl of Glencairn who could not use his Ayrshire estates to build a basis for support for the Engagement; indeed the army raised in his name and partially from his estates failed to support the Engagement. Conversely, the regiment originally raised by Eglinton for the Ulster army supported the Engagement, although it must be noted that he was no longer the colonel of the regiment in 1648 and the new commander favoured the Engagement.⁴⁹

Nor did members of the same family necessarily follow the same path in the 1640s. The eldest son of the earl of Eglinton dissented from his father and his brothers in defecting to the king in 1642. The royalist 1st Lord Kirkcudbright was succeeded by his nephew, the covenanting 2nd Lord. Although Robert Gordon, 4th Viscount Kenmure favoured the royalist cause, his extensive Gordon kindred, including Alexander Gordon of Earlstoun, adhered to the Covenants. Local antipathies still played their part, evidenced by, for example, the fact that a group of Carrick lairds with a history of resentment against the earls of Cassillis were accused of associating with Montrose in 1645. This was, however, unusual. The relationship between Eglinton and Glencairn was still coloured by the tradition of enmity between their families, which resurfaced in 1648, yet they were on the same side for most of the covenanting era. The same was true of Nithsdale and Hartfell, who also represented two families with a tradition of rivalry. This suggests that local forces were still important but could be overridden by national issues.

Religion was an important long term factor, as illustrated by, for example, the relationship between voting patterns in the 1621 parliament for or against the Five Articles and the future supporters of the king or the covenanters. One must be cautious not to imply too much from this correlation, yet the similarity remains striking. While religion was not the only issue at stake in 1621, it shows that those who were unhappy with royal policy in the south-west were prepared to use the religious agenda to express their grievances and to signal their dissent at liturgical change. In the context of the south-west the issue is not the largely circular debate over whether the covenanting movement was essentially a civil or a religious revolt -

⁴⁹ Furgol, *Regimental History*, 85.

it was both. What the example of the south-west perhaps shows is that, in an attempt to clarify the issues, religious and political motivations and actions have been separated in a manner that a seventeenth-century observer would have failed to recognise, and one which distorts the perspective on events. The solution lies, not in a rigid separation of religion and politics, but rather in a wider redefinition of what constitutes ecclesiastical history outside the confines of polity and discipline.

Robert Baillie informed his brethren in the presbytery of Irvine of the enthusiastic reception he and his fellow Scots preachers were receiving in London in 1641 by comparing the attendance at sermons with a local example - 'the people throng to our sermon, as ever you saw to any Irvine communion'.⁵⁰ Baillie was being far from parochial as his comment highlighted the vibrancy of religious experience in the south-west. In the light of the composition of the radical party in the south-west, the influence of religious factors is compelling. The church provided a mechanism for organising opposition to the service book in the locality and was crucial in collecting subscriptions for petitions against the service book. The sermon was a key vehicle of communication in the localities. The kirk helped to sustain the covenanting movement in the south-west throughout the long years of the 1640s and to nurture opposition to the Engagement. While parliament and the committee of estates dealt with malignants of high rank, the courts of the kirk, especially the presbyteries, were used to deal with opposition at a local level and ensure a degree of control. That the overwhelming majority of ministers in the south-west were staunch covenanters and that several of these were of a particularly radical stamp, even among the ministry, was crucial to the maintenance of the south-west as a stronghold of covenanting radicalism throughout the revolutionary period. The inter-relationship between radical ministers and the covenanting nobility of the south-west was particularly striking. Cassillis and John Livingstone were two of the commissioners appointed to go to Breda in 1650 to negotiate with Charles II. The connection between the two men dated back over twenty years and, although Livingstone was somewhat wary of some of the commissioners sent by parliament, he pronounced himself content with Cassillis.⁵¹ Thus ideology was important motivation for many, whether support for the religious ideal embodied by the Covenants or an attachment to the institution of monarchy.

⁵⁰ Baillie, *Letters and Journals*, i, 1.

⁵¹ *Life of Livingstone*, 170.

The importance of family relationships in determining allegiance is difficult to assess due to the fact that the overwhelming majority of marriages were contracted within the community of the south-west, resulting in a complex pattern of inter-relationships into which too much cannot be read. Lord Montgomery, for example, married twice, into leading royalist and covenanting families. Neither marriage was a significant factor in his increasing uneasiness with opposition to the king which led to himself disassociating himself from the covenanters. The links of kinship were not important in isolation; they were, however, significant where they were exploited and used to develop political or religious networks. The clearest example of this in the south-west was the result of a distant relationship, driven more by the concept of affinity than direct kinship, i.e., the association between Argyll and Loudoun. The Campbell connections in the south-west went much deeper as Argyll's sister had been married to the 1st Viscount Kenmure and survived him to marry one of Eglinton's sons. The eldest son of Sir Robert Montgomery of Skelmorlie was married to another of Argyll's sisters. Other relationships helped to create different factional groupings. Due to his religious history, the 2nd earl of Wigton may have seemed more likely to be a covenanter than a royalist, but the fact that he was the cousin of the marquess of Montrose undoubtedly had a bearing on his support for Charles. Even more important were the surname based allegiance groups, such as the network of Gordon lairds in Kirkcudbrightshire.

Conclusion

Allegiances in the south-west were governed by a complex cocktail of factors. Economic conditions specific to the south-west, which did not also pertain to other areas of Scotland such as the south-east, are difficult to identify. Economic factors, including indebtedness within the ranks of the nobility and the effects of commercial estate management upon the tenantry, may have contributed to feelings of insecurity which manifested themselves in opposition to the king and revolution. More specifically, the higher level of tax assessment in the western shires, would have made increasingly regular taxation, a frequent cause of grievance in the early seventeenth century, an even heavier imposition in the south-west. The economic pressures of the covenanting years, high prices, dearth, the strain of financing the wars, contributed to the highly charged political - and religious - environment of the late 1640s. However, the grievances over taxation excepted, it is hard to find any economic causes of unrest specific to the south-west. The suggestion that south-west Scotland had a unique economic experience which resulted in widespread support for

the Covenants is interesting, but does not, however, sufficiently explain the patterns of allegiance in the locality.

Proximity to Ireland was the most important of the geographical factors. This would have implications for the continued contact between the south-west and Ulster and gave an extra dimension to the area's reaction to the outbreak of war in Ireland. Religion was a crucial factor in several key respects: in encouraging the development of opposition to royal policies in the locality prior to 1637; as a means of ensuring that the south-west remained loyal to the covenanting cause - especially in the latter half of the 1640s - and, perhaps most importantly, as a channel for the spread of ideas, particularly via the close links between the covenanting ministers and the leading lay covenanters. Religious adherence was by no means the only principle which governed allegiance. An equally important factor, for the nobility in particular, was their relationship with the king and their attitudes towards sovereignty, which attitudes were, in turn, informed by the experience of absentee monarchy and the effects of crown policy. For nobles such as Loudoun the pursuit of power was a powerful inducement, while the covenanting era gave radical provincial nobles like Cassillis the chance to exercise greater power than they had been able to do previously. This was even more true for the covenanting lairds and burgesses of south-west. For individuals such as Andrew Agnew of Lochnaw, the sheriff of Wigtownshire, the aim was to survive the political changes of the covenanting era with his lands and local status intact. Ties of kinship, affinity and deference did determine political allegiance in a few cases, but the link was by no means absolute. Finally, the pressure of events and the reactive nature of political decision making should not be overlooked in the search for the ideological origins of the covenanting movement in the south-west.

In the 1630s and 40s, the royalist minority in the south-west were outmanoeuvred and unable to create an effective party in support of the king. At the same time, the covenanting majority proved capable of enforcing their remit across the region, mobilising it in support of the Covenants, utilising existing networks of contacts and communications and forging new ones, and effectively silencing their opponents. In the final analysis, allegiances in the south-west were governed by a combination of principle, pragmatism and the desire for personal advancement, all of which became overshadowed by the scale of events in the 1640s. While it is frustrating that no single factor or group of factors can explain the radical south-west, this is perhaps appropriate, given the sheer diversity of political stances available to contemporaries

and the lack of consensus over individual motivations at the time. As the parliament of 1649 had feared, posterity has been left with a disconcerting array of motivating factors, ranging from the ideologically pure to the purely venal.

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